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THE WRITINGS

OF

THOMAS JEFFERSON

VOLUME X

1816–1826

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OF

THOMAS JEFFERSON

COLLECTED AND EDITED

BY

PAUL LEICESTER FORD

VOLUME X

1816–1826

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OF

THOMAS JEFFERSON.

1816–1826.

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	Apr. 17–30.	At Poplar Forest.
	May 3.	At Monticello.
	June 29.	At Poplar Forest.
	July 10.	At Monticello.
		Writes sketch of Peyton Randolph.
	Sept.	Proof-reads Wirt's *Life of Patrick Henry*.
	25.	At Poplar Forest.
	Oct. 5.	At Monticello.
	16.	Writes inscription for National Capitol.
	Oct. 24–Dec. 5.	At Poplar Forest.
	Dec. 11.	At Monticello.
1817.—Apr.	25–6.	At Poplar Forest.
	Apr. 28.	At Monticello.
	July 1.	At Poplar Forest.
	July 15.	At Monticello.
	Aug. 11–Sept. 18.	At Poplar Forest.
	Sept. 21.	At Monticello.
	Nov. 22–Dec. 20.	At Poplar Forest.
	Dec. 23.	At Monticello.
1818.—Apr.	17–May 3.	At Poplar Forest.
	May 6.	At Monticello.
	July 3.	At Poplar Forest.
	Aug. 1–4.	At Rockfish Gap.
	7–21.	At Warm Springs.
	Sept. 1.	At Monticello.
		Writes Anecdotes of Franklin.

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1819.—Apr.	22.	At Poplar Forest.
May	1.	At Monticello.
July	10–Sept. 10.	At Poplar Forest.
Sept.	14.	At Monticello.
Nov.		Draws Plan of circulating medium.
1820.—Sept.	13–21.	At Poplar Forest.
Sept.	24.	At Monticello.
Nov.	15.	At Poplar Forest.
Dec.	19.	At Monticello.
1821.—Oct.	20.	At Buckspring.
	27.	At Monticello.
1822.—May		Writes answer to "A Native of Virginia."
	21–6.	At Poplar Forest.
	30.	At Monticello.
1823.—May	21.	At Poplar Forest.
May	27.	At Monticello.
June		At Bedford.
July		At Monticello.
1824.—Dec.		Visited by Daniel Webster.
1825.—Dec.		Drafts Protest for Virginia.
1826.—Feb.		Writes Notes on Lotteries.
Mar.	16.	Executes Will.
	17.	Adds Codicil to Will.
June	24.	Declines invitation to join in celebrating July 4th.
	25.	Writes last letter.
July	4.	Dies.

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THE WRITINGS OF

THOMAS JEFFERSON.

CORRESPONDENCE AND MISCELLANEOUS PAPERS.

1816–1826.

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TO COLONEL CHARLES YANCEY. J. MSS.

MONTICELLO, January 6, 1816.

DEAR SIR,—I am favored with yours of December 24th, and perceive you have many matters before you of great moment. I have no fear but that the legislature will do on all of them what is wise and just. On the particular subject of our river, in the navigation of which our county has so great an interest, I think the power of permitting dams to be erected across it, ought to be taken from the courts, so far as the stream has water enough for navigation. The value of our property is sensibly lessened by the dam which the court of Fluvana authorized not long since to be erected, but a little above its mouth. This power over the value and convenience of our lands is of much too high a character to be placed at the will of a county court, and that of a county, too, which has not a common interest in the preservation of the navigation for those above them. As to the existing dams, if any conditions are proposed more than

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those to which they were subjected on their original erection, I think they would be allowed the alternative of opening a sluice for the passage of navigation, so as to put the river into as good a condition for navigation as it was before the erection of their dam, or as it would be if their dam were away. Those interested in the navigation might then use the sluices or make locks as should be thought best. Nature and reason, as well as all our constitutions, condemn retrospective conditions as mere acts of power against right.

I recommend to your patronage our Central College. I look to it as a germ from which a great tree may spread itself.

There is before the assembly a petition of a Captain Miller which I have at heart, because I have great esteem for the petitioner as an honest and useful man. He is about to settle in our county, and to establish a brewery, in which art I think him as skilful a man as has ever come to America. I wish to see this beverage become common instead of the whiskey which kills one-third of our citizens and ruins their families. He is staying with me until he can fix himself, and I should be thankful for information from time to time of the progress of his petition.

Like a dropsical man calling out for water, water, our deluded citizens are clamoring for more banks, more banks. The American mind is now in that state of fever which the world has so often seen in the history of other nations. We are under the bank bubble, as England was under the South Sea bubble, France under the Mississippi bubble, and as every nation is liable to be, under whatever bubble, design, or delusion may puff up in moments when off their guard. We are now taught to believe that legerdemain tricks upon paper can produce as solid wealth as hard labor in the earth. It is vain for common sense to urge that *nothing* can produce *nothing*; that it is an idle dream to believe in a philosopher's stone which is to turn everything into gold, and to redeem man from the original sentence of his Maker, "in the sweat of his brow shall he eat his bread." Not Quixot enough, however, to attempt to reason Bedlam to rights, my anxieties are turned to the most practicable means of withdrawing us from the ruin into which we have run. Two hundred millions of paper in the hands of the people, (and less cannot be

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from the employment of a banking capital known to exceed one hundred millions,) is a fearful tax to fall at haphazard on their heads. The debt which purchased our independence was but of eighty millions, of which twenty years of taxation had in 1809 paid but the one half. And what have we purchased with this tax of two hundred millions which we are to pay by wholesale but usury, swindling, and new forms of demoralization. Revolutionary history has warned us of the probable moment when this baseless trash is to receive its fiat. Whenever so much of the precious metals shall have returned into the circulation as that everyone can get some in exchange for his produce, paper, as in the revolutionary war, it will experience at once an universal rejection. When public opinion changes, it is with the rapidity of thought. Confidence is already on the totter, and every one now handles this paper as if playing at Robin's alive. That in the present state of the circulation the bank should resume payments in specie, would require their vaults to be like the widow's cruse. The thing to be aimed at is, that the excesses of their emissions should be withdrawn as gradually, but as speedily, too, as is practicable, without so much alarm as to bring on the crisis dreaded. Some banks are said to be calling in their paper. But ought we to let this depend on their discretion? Is it not the duty of the legislature to avert from their constituents such a catastrophe as the extinguishment of two hundred millions of paper in their hands? The difficulty is indeed great: and the greater, because the patient revolts against all medicine. I am far from presuming to say that any plan can be relied on with certainty, because the bubble may burst from one moment to another; but if it fails, we shall be but where we should have been without any effort to save ourselves. Different persons, doubtless, will devise different schemes of relief. One would be to suppress instantly the currency of all paper not issued under the authority of our State or of the General Government; to interdict after a few months the circulation of all bills of five dollars and under: after a few months more, all of ten dollars and under; after other terms, those of twenty, fifty, and so on to one hundred dollars, which last, if any must be left in circulation, should be the lowest denomination. These might be a convenience in mercantile transactions and

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transmissions, and would be excluded by their size from ordinary circulation. But the disease may be too pressing to await such a remedy. With the legislature I cheerfully leave it to apply this medicine, or no medicine at all. I am sure their intentions are faithful; and embarked in the same bottom, I am willing to swim or sink with my fellow citizens. If the latter is their choice, I will go down with them without a murmur. But my exhortation would rather be "not to give up the ship."

I am a great friend to the improvements of roads, canals, and schools. But I wish I could see some provision for the former as solid as that of the latter, —something better than fog. The literary fund is a solid provision, unless lost in the impending bankruptcy. If the legislature would add to that a perpetual tax of a cent a head on the population of the State, it would set agoing at once, and forever maintain, a system of primary or ward schools, and an university where might be taught, in its highest degree, every branch of science useful in our time and country; and it would rescue us from the tax of toryism, fanaticism, and indifferentism to their own State, which we now send our youth to bring from those of New England. If a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be. The functionaries of every government have propensities to command at will the liberty and property of their constituents. There is no safe deposit for these but with the people themselves; nor can they be safe with them without information. Where the press is free, and every man able to read, all is safe. The frankness of this communication will, I am sure, suggest to you a discreet use of it. I wish to avoid all collisions of opinion with all mankind. Show it to Mr. Maury, with expressions of my great esteem. It pretends to convey no more than the opinions of one of your thousand constituents, and to claim no more attention than every other of that thousand.

I will ask you once more to take care of Miller and our College, and to accept assurance of my esteem and respect.

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TO CHARLES THOMSON. J. MSS.

MONTICELLO, January 9, 1816.

MY DEAR AND ANCIENT FRIEND,—An acquaintance of fifty-two years, for I think ours dates from 1764, calls for an interchange of notice now and then, that we remain in existence, the monuments of another age, and examples of a friendship unaffected by the jarring elements by which we have been surrounded, of revolutions of government, of party and of opinion. I am reminded of this duty by the receipt, through our friend Dr. Patterson, of your synopsis of the four Evangelists. I had procured it as soon as I saw it advertised, and had become familiar with its use; but this copy is the more valued as it comes from your hand. This work bears the stamp of that accuracy which marks everything from you, and will be useful to those who, not taking things on trust, recur for themselves to the fountain of pure morals. I, too, have made a wee-little book from the same materials, which I call the Philosophy of Jesus; it is a paradigma of his doctrines, made by cutting the texts out of the book, and arranging them on the pages of a blank book, in a certain order of time or subject. A more beautiful or precious morsel of ethics I have never seen; it is a document in proof that *I* am a *real Christian*, that is to say, a disciple of the doctrines of Jesus, very different from the Platonists, who call *me* infidel and *themselves* Christians and preachers of the gospel, while they draw all their characteristic dogmas from what its author never said nor saw. They have compounded from

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the heathen mysteries a system beyond the comprehension of man, of which the great reformer of the vicious ethics and deism of the Jews, were he to return on earth, would not recognize one feature. If I had time I would add to my little book the Greek, Latin and French texts, in columns side by side. And I wish I could subjoin a translation of Gosindi's Syntagma of the doctrines of Epicurus, which, notwithstanding the calumnies of the Stoics and caricatures of Cicero, is the most rational system remaining of the philosophy of the ancients, as frugal of vicious indulgence, and fruitful of virtue as the hyperbolical extravagances of his rival sects.

I retain good health, am rather feeble to walk much, but ride with ease, passing two or three hours a day on horseback, and every three or four months taking in a carriage a journey of ninety miles to a distant possession, where I pass a good deal of my time. My eyes need the aid of glasses by night, and with small print in the day also; my hearing is not quite so sensible as it used to be; no tooth shaking yet, but shivering and shrinking in body from the cold we now experience, my thermometer having been as low as 12° this morning. My greatest oppression is a correspondence afflictingly laborious, the extent of which I have been long endeavoring to curtail. This keeps me at the drudgery of the writing-table all the prime hours of the day, leaving for the gratification of my appetite for reading, only what I can steal from the hours of sleep. Could I reduce this epistolary corvée within the limits of my

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friends and affairs, and give the time redeemed from it to reading and reflection, to history, ethics, mathematics, my life would be as happy as the infirmities of age would admit, and I should look on its consummation with the composure of one "*qui summum nec me tuit diem nec optat.*"

So much as to myself, and I have given you this string of egotisms in the hope of drawing a similar one from yourself. I have heard from others that you retain your health, a good degree of activity, and all the vivacity and cheerfulness of your mind, but I wish to learn it more minutely from yourself. How has time affected your health and spirits? What are your amusements, literary and social? Tell me everything about yourself, because all will be interesting to me who retains for you ever the same constant and affectionate friendship and respect.

TO BENJAMIN AUSTIN. J.MSS.

MONTICELLO, January 9, 1816.

DEAR SIR,—Your favor of December 21st has been received, and I am first to thank you for the pamphlet it covered. The same description of persons which is the subject of that is so much multiplied here too, as to be almost a grievance, and by their numbers in the public councils, have wrested from the public hand the direction of the pruning knife. But with us as a body, they are republican, and mostly moderate in their views; so far, therefore, less objects of jealousy than with you. Your opinions on the events which have taken place in France, are entirely just, so far as these events are yet developed. But they have not reached their ultimate termination. There is still an awful void between the present and what is to be the last chap-

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ter of that history; and I fear it is to be filled with abominations as frightful as those which have already disgraced it. That nation is too high-minded, has too much innate force, intelligence and elasticity, to remain under its present compression. Samson will arise in his strength, as of old, and as of old will burst asunder the withes and the cords, and the webs of the Philistines. But what are to be the scenes of havoc and horror, and how widely they may spread between brethren of the same house, our ignorance of the interior feuds and antipathies of the country places beyond our ken. It will end, nevertheless, in a representative government, in a government in which the will of the people will be an effective ingredient. This important element has taken root in the European mind, and will have its growth; their despots, sensible of this, are already offering this modification of their governments, as if of their own accord. Instead of the parricide treason of Bonaparte, in perverting the means confided to him as a republican magistrate, to the subversion of that republic and erection of a military despotism for himself and his family, had he used it honestly for the establishment and support of a free government in his own country, France would now have been in freedom and rest; and her example operating in a contrary direction, every nation in Europe would have had a government over which the will of the people would have had some control. His atrocious egotism has checked the salutary progress of principle, and deluged it with rivers of blood which are not yet run out. To the vast sum of devastation and of human misery, of which he has been the guilty cause, much is still to be added. But the object is fixed in the eye of nations, and they will press on to its accomplishment and to the general amelioration of the condition of man. What a germ have we planted, and how faithfully should we cherish the parent tree at home!

You tell me I am quoted by those who wish to continue our dependence on England for manufactures. There was a time when I might have been so quoted with more candor, but within the thirty years which have since elapsed, how are circumstances changed! We were then in peace. Our independent place among nations was acknowledged. A commerce which offered

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the raw material in exchange for the same material after receiving the last touch of industry, was worthy of welcome to all nations. It was expected that those especially to whom manufacturing industry was important, would cherish the friendship of such customers by every favor, by every inducement, and particularly cultivate their peace by every act of justice and friendship. Under this prospect the question seemed legitimate, whether, with such an immensity of unimproved land, courting the hand of husbandry, the industry of agriculture, or that of manufactures, would add most to the national wealth? And the doubt was entertained on this consideration chiefly, that to the labor of the husbandman a vast addition is made by the spontaneous energies of the earth on which it is employed: for one grain of wheat committed to the earth, she renders twenty, thirty, and even fifty fold, whereas to the labor of the manufacturer nothing is added. Pounds of flax, in his hands, yield, on the contrary, but pennyweights of lace. This exchange, too, laborious as it might seem, what a field did it promise for the occupations of the ocean; what a nursery for that class of citizens who were to exercise and maintain our equal rights on that element? This was the state of things in 1785, when the "Notes on Virginia" were first printed; when, the ocean being open to all nations, and their common right in it acknowledged and exercised under regulations sanctioned by the assent and usage of all, it was thought that the doubt might claim some consideration. But who in 1785 could foresee the rapid depravity which was to render the close of that century the disgrace of the history of man? Who could have imagined that the two most distinguished in the rank of nations, for science and civilization, would have suddenly descended from that honorable eminence, and setting at defiance all those moral laws established by the Author of nature between nation and nation, as between man and man, would cover earth and sea with robberies and piracies, merely because strong enough to do it with temporal impunity; and that under this disbandment of nations from social order, we should have been despoiled of a thousand ships, and have thousands of our citizens reduced to Algerine slavery. Yet all this has taken place. One of these nations interdicted to our vessels

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all harbors of the globe without having first proceeded to some one of hers, there paid a tribute proportioned to the cargo, and obtained her license to proceed to the port of destination. The other declared them to be lawful prize if they had touched at the port, or been visited by a ship of the enemy nation. Thus were we completely excluded from the ocean. Compare this state of things with that of '85, and say whether an opinion founded in the circumstances of that day can be fairly applied to those of the present. We have experienced what we did not then believe, that there exists both profligacy and power enough to exclude us from the field of interchange with other nations: that to be independent for the comforts of life we must fabricate them ourselves. We must now place the manufacturer by the side of the agriculturist. The former question is suppressed, or rather assumes a new form. Shall we make our own comforts, or go without them, at the will of a foreign nation? He, therefore, who is now against domestic manufacture, must be for reducing us either to dependence on that foreign nation, or to be clothed in skins, and to live like wild beasts in dens and caverns. I am not one of these; experience has taught me that manufactures are now as necessary to our independence as to our comfort; and if those who quote me as of a different opinion, will keep pace with me in purchasing nothing foreign where an equivalent of domestic fabric can be obtained, without regard to difference of price, it will not be our fault if we do not soon have a supply at home equal to our demand, and wrest that weapon of distress from the hand which has wielded it. If it shall be proposed to go beyond our own supply, the question of '85 will then recur, will our *surplus* labor be then most beneficially employed in the culture of the earth, or in the fabrications of art? We have time yet for consideration, before that question will press upon us; and the maxim to be applied will depend on the circumstances which shall then exist; for in so complicated a science as political economy, no one axiom can be laid down as wise and expedient for all times and circumstances, and for their contraries. Inattention to this is what has called for this explanation, which reflection would have rendered unnecessary with the candid, while nothing will do it with those who use the former opinion

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only as a stalking horse, to cover their disloyal propensities to keep us in eternal vassalage to a foreign and unfriendly people.

I salute you with assurances of great respect and esteem.[1]

[1] Jefferson further wrote to Austin:

MONTICELLO, February 9, 1816.

SIR,—Your favor of January 25th is just now received. I am in general extremely unwilling to be carried into the newspapers, no matter what the subject; the whole pack of the Essex kennel would open upon me. With respect, however, to so much of my letter of January 9th as relates to manufactures, I have less repugnance, because there is perhaps a degree of duty to avow a change of opinion called for by a change of circumstance, and especially on a point now become peculiarly interesting.

What relates to Bonaparte stands on different ground. You think it will silence the misrepresentations of my enemies as to my opinion of him. No, Sir; it will not silence them. They had no ground either in my words or actions for these misrepresentations before, and cannot have less afterwards; nor will they calumniate less. There is, however, a consideration respecting our own friends, which may merit attention. I have grieved to see even good republicans so infatuated as to this man, as to consider his downfall as calamitous to the cause of liberty. In their indignation against England which is just, they seem to consider all *her* enemies as *our* friends, when it is well known there was not a being on earth who bore us so deadly a hatred. In fact, he saw nothing in this world but himself, and looked on the people under him as his cattle, beasts for burthen and slaughter. Promises cost him nothing when they could serve his purpose. On his return from Elba, what did he not promise? But those who had credited them a little, soon saw their total insignificance, and, satisfied they could not fall under worse hands, refused every effort after the defeat of Waterloo. Their present sufferings will have a term; his iron despotism would have had none. France has now a family of fools at its head, from whom, whenever it can shake off its foreign riders, it will extort a free constitution, or dismount them and establish some other on the solid basis of national right. To whine after this exorcised demon is a disgrace to republicans, and must have arisen either from want of reflection, or the indulgence of passion against principle. If anything I have said could lead them to take correcter views, to rally to the polar principles of genuine republicanism, I could consent that that part of my letter also should go into a newspaper. This I leave to yourself and such candid friends as you may consult. There is one word in the letter, however, which decency towards the allied sovereigns requires should be softened. Instead of *despots*, call them *rulers*. The first paragraph, too, of seven or eight lines, must be wholly omitted. Trusting all the rest to your discretion, I salute you with great esteem and respect.

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TO HORATIO GATES SPAFFORD. J.MSS.

MONTICELLO Jan. 10. 16.

DEAR SIR,—Of the last 5 months 4 have been passed at my distant possession, to which no letters are carried to me, because the crosspost is too circuitous and unsafe to be trusted. On my return I find an immense accumulation of them calling for answers, & among these your favor of the 25th ult. In this you request me to examine the MS. tract it covered, to suggest amendments or alterations, give my remarks & opinion of the propriety of the sentiments, point out improvements, and say whether it should be published now. From this undertaking, my good sir, I must pray you to excuse me. In the first place I really have not the time to spare. My other occupations are incessant and indispensable. Within doors and without, there is something ever pressing, insomuch that I often have not a moment to read the papers of the day, and if to read anything else it must be in hours stolen from those of sleep. In the next place I have made it a point not to meddle with the writings of others. It is unpleasant to one's self, and generally injurious to the composition reviewed. The train in which a man commits his own thoughts to paper has in it generally a certain method and order. If this be altered, interrupted, chequered by the ideas of another, the composition becomes a medley of different views on the same subject, incoherent & deformed. So few are my spare moments that I have not been able even to read it through: because the MS. is in a handwriting extremely difficult to me; and I shall read it with more pleasure, and more understanding in print. I concur with you in it's design; and as far as I have penetrated, I find the matter good and am sure it will be useful. I hope therefore to see it in your next magazine to be followed by many others having the same object.

(You judge truly that I am not afraid of the priests. They have tried upon me all their various batteries, of pious whining, hypocritical canting, lying & slandering, without being able to give me one moment of pain. I have contemplated their order from the Magi of the East to the Saints of the West, and I have found no difference of character, but of more or less caution, in

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proportion to their information or ignorance of those on whom their interested duperies were to be plaid off. Their sway in New England is indeed formidable. No mind beyond mediocrity dares there to develope itself. If it does, they excite against it the public opinion which they command, & by little, but incessant and teasing persecutions, drive it from among them. Their present emigrations to the Western country are real flights from persecution, religious & political, but the abandonment of the country by those who wish to enjoy freedom of opinion leaves the despotism over the residue more intense, more oppressive. They are now looking to the flesh pots of the South and aiming at foothold there by their missionary teachers. They have lately come forward boldly with their plan to establish '*a qualified religious instructor* over every thousand souls in the US.' And they seem to consider none as qualified but their own sect. Thus, in Virginia, they say there are but 60, qualified, and that 914 are still wanting of the full quota. All besides the 60, are 'mere nominal ministers unacquainted with theology.' Now the 60. they allude to are exactly in the string of counties at the Western foot of the Blue ridge, settled originally by Irish presbyterians, and composing precisely the tory district of the state. There indeed is found in full vigor the hypocrisy, the despotism, and anti-civism of the New England *qualified religious instructors*. The country below the mountains, inhabited by Episcopalians, Methodists & Baptists (under mere nominal ministers unacquainted with theology) are pronounced 'destitute of the means of grace, and as sitting in darkness and under the shadow of death.' They are quite in despair too at the insufficient means of New England to fill this fearful void, 'with Evangelical light, with catechetical instructions, weekly lectures, & family visiting. That Yale cannot furnish above 80. graduates annually, and Harvard perhaps not more. That there must therefore be an immediate, universal, vigorous & systematic effort made to evangelize the nation. To see that there is a a bible for every family, a school for every district, and a qualified (i. e. Presbyterian) 'pastor for every thousand souls; that newspapers, tracts, magazines must be employed; the press be made to groan, & every pulpit in the land to sound it's trumpet long and loud. A more homo-

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geneous' (I.E. New England) 'character must be produced thro' the nation.' That section then of our union having lost it's political influence by disloyalty to it's country is now to recover it under the mask of religion. It is to send among us their Gardiners, their Osgoods, their Parishes & Pearsons, as apostles to teach us their orthodoxy. This is the outline of the plan as published by Messrs. Beecher, Pearson & Co. It has uttered however one truth. 'That the nation must be awaked to save itself by it's own exertions, or we are undone.' And I trust that this publication will do not a little to awaken it; and that in aid of it newspapers, tracts and magazines must sound the trumpet. Yours I hope will make itself heard, and the louder as yours is the nearest house in the course of conflagration.)[1]

[1] Jefferson omitted the paragraph which he bracketed as above, but he sent a transcript of it to Thomas Ritchie, editor of the Richmond *Enquirer*, with the following letter:

MONTICELLO, January 21, 1816.

DEAR SIR,—In answering the letter of a northern correspondent lately, I indulged in a tirade against a pamphlet recently published in this quarter. On revising my letter, however, I thought it unsafe to commit myself so far to a stranger. I struck out the passage therefore, yet I think the pamphlet of such a character as not to be unknown, or unnoticed by the people of the United States. It is the most bold and impudent stride New England has ever made in arrogating an ascendency over the rest of the Union. The first form of the pamphlet was an address from the Reverend Lyman Beecher, chairman of the Connecticut Society for the education of *pious* young men for the ministry. Its matter was then adopted and published in a sermon by Reverend Mr. Pearson of Andover in Massachusetts, where they have a *theological* college; and where the address "with circumstantial variations to adapt it to more general use" is reprinted on a sheet and a half of paper, in so cheap a form as to be distributed, I imagine, gratis, for it has a final note indicating six thousand copies of the first edition printed. So far as it respects Virginia, the extract of my letter gives the outline. I therefore send it to you to publish or burn, abridge or alter, as you think best. You understand the public palate better than I do. Only give it such a title as may lead to no suspicion from whom you receive it. I am the more induced to offer it to you because it is possible mine may be the only copy in the State, and because, too, it may be *à propos* for the petition for the establishment of *a theological society* now before the legislature, and to which they have shown the unusual respect of hearing an advocate for it at their bar. From what quarter this theological society comes forward I know not; perhaps from our own tramontaine clergy, of New England religion and politics; perhaps it is the entering wedge from its *theological* sister in Andover, for the body

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I have not sent your tract to the President as you requested, fearing that if any further delay be added to that already incurred, it will be too late for your purpose of inserting it in the January magazine.

From contest of every kind I withdraw myself entirely. I have served my hour, and a long one it has been. Tranquility is the object of my remaining years, and I leave to more vigorous bodies & minds the service which has rightfully, & in succession devolved on them. Accept the assurances of my great respect and esteem.

TO DABNEY CARR. J. MSS.

MONTICELLO, January 19, 1816.

DEAR SIR,—At the date of your letter of December the 1st, I was in Bedford, and since my return, so many letters, accumulated during my absence, have been pressing for answers, that this is the first moment I have been able to attend to the subject of yours. While Mr. Girardin was in this neighborhood writing his continuation of Burke's history, I had suggested to him a proper notice of the establishment of the committee of correspondence here in 1773, and of Mr. Carr, your father, who introduced it. He has doubtless done this, and his work is now in the press. My books, journals of the times, &c., being all gone, I have nothing now but an impaired memory to resort to for the more particular statement you wish. But I give it with the more confidence, as I find that I remember old things better than new.

of "qualified religious instructors" proposed by their pious brethren of the East "to evangelize and catechize," to edify our daughters by weekly lectures, and our wives by "family visits" from these pious young monks from Harvard and Yale. However, do with this what you please, and be assured of my friendship and respect.

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The transaction took place in the session of Assembly of March 1773. Patrick Henry, Richard Henry Lee, Frank Lee, your father and myself, met by agreement, one evening, about the close of the session, at the Raleigh Tavern, to consult on the measures which the circumstances of the times seemed to call for. We agreed, in result, that concert in the operations of the several colonies was indispensable; and that to produce this, some channel of correspondence between them must be opened; that therefore, we would propose to our House the appointment of a committee of correspondence, which should be authorized and instructed to write to the Speakers of the House of Representatives of the several Colonies, recommending the appointment of similar committees on their part, who, by a communication of sentiment on the transactions threatening us all, might promote a harmony of action salutary to all. This was the substance, not pretending to remember the words. We proposed the resolution, and your father was agreed on to make the motion. He did it the next day, March the 12th, with great ability, reconciling all to it, not only by the reasonings, but by the temper and moderation with which it was developed. It was adopted by a very general vote. Peyton Randolph, some of us who proposed it, and who else I do not remember, were appointed of the committee. We immediately despatched letters by expresses to the Speakers of all the other Assemblies. I remember that Mr. Carr and myself, returning home together, and conversing on the subject by the way,

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concurred in the conclusion that that measure must inevitably beget the meeting of a Congress of Deputies from all the colonies, for the purpose of uniting all in the same principles and measures for the maintenance of our rights. My memory cannot deceive me, when I affirm that we did it in consequence of no such proposition from any other colony. No doubt the resolution itself and the journals of the day will show that ours was original, and not merely responsive to one from any other quarter. Yet, I am certain I remember also, that a similar proposition, and nearly cotemporary, was made by Massachusetts, and that our northern messenger passed theirs on the road. This, too, may be settled by recurrence to the records of Massachusetts. The proposition was generally acceded to by the other colonies, and the first effect, as expected, was the meeting of a Congress at New York the ensuing year. The committee of correspondence appointed by Massachusetts, as quoted by you from Marshall, under the date of 1770, must have been for a special purpose, and *functus officio* before the date of 1773, or Massachusetts herself would not then have proposed another. Records should be examined to settle this accurately. I well remember the pleasure expressed in the countenance and conversation of the members generally, on this *debut* of Mr. Carr, and the hopes they conceived as well from the talents as the patriotism it manifested. But he died within two months after, and in him we lost a powerful fellow-laborer. His character was of a high order. A spotless integrity, sound judgment,

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handsome imagination, enriched by education and reading, quick and clear in his conceptions, of correct and ready elocution, impressing every hearer with the sincerity of the heart from which it flowed. His firmness was inflexible in whatever he thought was right; but when no moral principle stood in the way, never had man more of the milk of human kindness, of indulgence, of softness, of pleasantry of conversation and conduct. The number of his friends, and the warmth of their affection, were proofs of his worth, and of their estimate of it. To give to those now living, an idea of the affliction produced by his death in the minds of all who knew him, I liken it to that lately felt by themselves on the death of his eldest son, Peter Carr, so like him in all his endowments and moral qualities, and whose recollection can never recur without a deep-drawn sigh from the bosom of any one who knew him. You mention that I showed you an inscription I had proposed for the tomb stone of your father. Did I leave it in your hands to be copied? I ask the question, not that I have any such recollection, but that I find it no longer in the place of its deposit, and think I never took it out but on that occasion. Ever and affectionately yours.

TO JAMES MONROE. J.MSS.

MONTICELLO, February 4, 1816.

DEAR SIR,—Your letter concerning that of General Scott is received, and his is now returned. I am very thankful for these communications. From forty years' experience of the wretched guess-work of the newspapers of what is not done in open daylight, and of their falsehood even as to that, I rarely think them

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worth reading, and almost never worth notice. A ray, therefore, now and then, from the fountain of light, is like sight restored to the blind. It tells me where I am; and that to a mariner who has long been without sight of land or sun, is a rallying of reckoning which places him at ease. | The ground you have taken with Spain is sound in every part. It is the true ground, especially, as to the South Americans. When subjects are able to maintain themselves in the field, they are then an independent power as to all neutral nations, are entitled to their commerce, and to protection within their limits. Every kindness which can be shown the South Americans, every friendly office and aid within the limits of the law of nations, I would extend to them, without fearing Spain or her Swiss auxiliaries. For this is but an assertion of our own independence. But to join in their war, as General Scott proposes, and to which even some members of Congress seem to squint, is what we ought not to do as yet. On the question of our interest in their independence, were that alone a sufficient motive of action, much may be said on both sides. When they are free, they will drive every article of our produce from every market, by underselling it, and change the condition of our existence, forcing us into other habits and pursuits. We shall, indeed, have in exchange some commerce with them, but in what I know not, for we shall have nothing to offer which they cannot raise cheaper; and their separation from Spain seals our everlasting peace with her. On the other hand, so long as they are dependent, Spain, from her jealousy, is our natural enemy, and always in either open or secret hostility with us. These countries, too, in war, will be a powerful weight in her scale, and, in peace, totally shut to us. Interest then, on the whole, would wish their independence, and justice makes the wish a duty. They have a right to be free, and we a right to aid them, as a strong man has a right to assist a weak one assailed by a robber or murderer. That a war is brewing between us and Spain cannot be doubted. When that disposition is matured on both sides, and open rupture can no longer be deferred, then will be the time for our joining the South Americans, and entering into treaties of alliance with them. There will then be but one opinion, at home or abroad, that we shall be justifiable

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in choosing to have them with us, rather than against us. In the meantime, they will have organized regular governments, and perhaps have formed themselves into one or more confederacies; more than one I hope, as in single mass they would be a very formidable neighbor. The geography of their country seems to indicate three: 1. What is north of the Isthmus. 2. What is south of it on the Atlantic; and 3. The southern part on the Pacific. In this form, we might be the balancing power. *A propos* of the dispute with Spain, as to the boundary of Louisiana. On our acquisition of that country, there was found in possession of the family of the late Governor Messier, a most valuable and original MS. history of the settlement of Louisiana by the French, written by Bernard de la Harpe, a principal agent through the whole of it. It commences with the first permanent settlement of 1699, (that by de la Salle in 1684, having been broken up,) and continues to 1723, and shows clearly the continual claim of France to the Province of Texas, as far as the Rio Bravo, and to all the waters running into the Mississippi, and how, by the roguery of St. Denis, an agent of Crozat the merchant, to whom the colony was granted for ten years, the settlements of the Spaniards at Nacadoches, Adais, Assinays, and Natchitoches, were fraudulently invited and connived at. Crozat's object was commerce, and especially contraband, with the Spaniards, and these posts were settled as convenient smuggling stages on the way to Mexico. The history bears such marks of authenticity as place it beyond question. Governor Claiborne obtained the MS. for us, and thinking it too hazardous to risk its loss by the way, unless a copy were retained, he had a copy taken. The original having arrived safe at Washington, he sent me the copy, which I now have. Is the original still in your office? or was it among the papers burnt by the British? If lost, I will send you my copy; if preserved, it is my wish to deposit the copy for safe keeping with the Philosophical Society at Philadelphia, where it will be safer than on my shelves. I do not mean that any part of this letter shall give to yourself the trouble of an answer; only desire Mr. Graham to see if the original still exists in your office, and to drop me a line saying yea or nay; and I shall know what to do. Indeed the MS. ought to

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be printed, and I see a note to my copy which shows it has been in contemplation, and that it was computed to be of twenty sheets at sixteen dollars a sheet, for three hundred and twenty copies, which would sell at one dollar apiece, and reimburse the expense. * * *

TO LEROY AND BAYARD. J. MSS.

MONTICELLO, Apr. 7, 16.

GENTLEMEN,—I received by our last mail only, your favor of Mar. 19, reminding me of a very ancient and very just debt to Messrs. Van Staphorsts, and which I ought certainly long ago to have replaced to them, unasked. But, engaged constantly in offices of more expence than compensation, our means are ever absorbed as soon as received by the needy who press, while the indulgent lie over for a moment of greater convenience. Yet ancient and just as is this debt, it presents itself at a moment when I am not prepared to meet it. I am a landholder, and depend on the income of my farms. Three years of war & close blockade of the Chesapeak compleatly sunk the produce of those three years, and the year of peace which has followed has barely met arrearages and taxes. Commerce and free markets being now restored to us, we may count on the future with more certainty. I shall be able to pay off one of my bonds [*torn*] at the date of a year from this time, and one other each year after until the three are discharged. I hope that this arrangement will be acceptable to Messrs. Van Staphorsts, and that their indulgence will not be withdrawn suddenly and all at once. With the forbearance I ask, I shall replace their money from annual income which I can spare, and be saved the regret of injuriously mutilating my landed property. It will give me great pleasure to learn that the measure of kindness hitherto shewn, will be filled up by so much further forbearance, as will make it in the end, as it was in the beginning, a salutary accommodation. Accept the assurances of my great esteem & respect.[1]

[1] On August 15, 1816, Jefferson wrote to Leroy and Bayard.

MONTICELLO, Aug. 15, 16.

GENTLEMEN,—Your favor of the 7th is received, and I shall endeavor to

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TO P. S. DUPONT DE NEMOURS. J. MSS.

POPLAR FOREST, April 24, 1816.

I received, my dear friend, your letter covering the constitution for your Equinoctial republics, just as I was setting out for this place. I brought it with me, and have read it with great satisfaction. I suppose it well formed for those for whom it was intended, and the excellence of every government is its adaptation to the state of those to be governed by it. For us it would not do. Distinguishing between the structure of the government and the moral principles on which you prescribe its administration, with the latter we concur cordially, with the former we should not. We of the United States, you know, are constitutionally and conscientiously democrats. We consider society as one of the natural wants with which man has been created; that he has been endowed with faculties and qualities to effect its satisfaction by concurrence of others having the same want; that when, by the exercise of these faculties, he has procured a state of society, it is one of his acquisitions which he has a right to regulate and control, jointly indeed with all those who have concurred in the procurement, whom he cannot exclude from its use or direction more than they him. We think experience has proved it safer, for the mass of individuals composing the society, to reserve to themselves personally the exercise of all rightful powers to which they are competent, and to delegate those to which they are not competent to deputies named, and removable for unfaithful conduct, by themselves immediately. Hence, with us, the people (by which is meant the mass of individuals composing the society) being competent to judge of the facts occurring in ordinary life, they have retained the functions of judges of facts, under the name of jurors; but being unqualified for the management of affairs requiring intelligence above the common level,

comply as exactly as in my power with the instalments with which Messrs. Van Staphorsts are so kind as to indulge me. My resources are those of a farmer, depending on the produce of my farms, which is usually sold in April or May, but sometimes necessarily on some credit to avoid sacrificing it, which I am sure the kind motives of the loan would spare were these causes at any time to oblige me to overrun the exact day. Accept my thanks for your friendly intermediation in this business and the assurance of my great esteem and respect.

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yet competent judges of human character, they chose, for their management, representatives, some by themselves immediately, others by electors chosen by themselves. Thus our President is chosen by ourselves, directly in *practice*, for we vote for A as elector only on the condition he will vote for B, our representatives by ourselves immediately, our Senate and judges of law through electors chosen by ourselves. And we believe that this proximate choice and power of removal is the best security which experience has sanctioned for ensuring an honest conduct in the functionaries of society. Your three or four alembications have indeed a seducing appearance. We should conceive *primâ facie*, that the last extract would be the pure alcohol of the substance, three or four times rectified. But in proportion as they are more and more sublimated, they are also farther and farther removed from the control of the society; and the human character, we believe, requires in general constant and immediate control, to prevent its being biased from right by the seductions of self-love. Your process produces therefore a structure of government from which the fundamental principle of ours is excluded. You first set down as zeros all individuals not having lands, which are the greater number in every society of long standing. Those holding lands are permitted to manage in person the small affairs of their commune or corporation, and to elect a deputy for the canton; in which election, too, every one's vote is to be an unit, a plurality, or a fraction, in proportion to his landed possessions. The assemblies of cantons, then, elect for the districts; those of districts for circles; and those of circles for the national assemblies. Some of these highest councils, too, are in a considerable degree self-elected, the regency partially, the judiciary entirely, and some are for life. Whenever, therefore, an *esprit de corps*, or of party, gets possession of them, which experience shows to be inevitable, there are no means of breaking it up, for they will never elect but those of their own spirit. Juries are allowed in criminal cases only. I acknowledge myself strong in affection to our own form, yet both of us act and think from the same motive, we both consider the people as our children, and love them with parental affection. But you love them as infants whom you are afraid to trust without nurses; and I as adults whom I freely

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leave to self-government. And you are right in the case referred to you; my criticism being built on a state of society not under your contemplation. It is, in fact, like a critic on Homer by the laws of the Drama.

But when we come to the moral principles on which the government is to be administered, we come to what is proper for all conditions of society. I meet you there in all the benevolence and rectitude of your native character; and I love myself always most where I concur most with you. Liberty, truth, probity, honor, are declared to be the four cardinal principles of your society. I believe with you that morality, compassion, generosity, are innate elements of the human constitution; that there exists a right independent of force; that a right to property is founded in our natural wants, in the means with which we are endowed to satisfy these wants, and the right to what we acquire by those means without violating the similar rights of other sensible beings; that no one has a right to obstruct another, exercising his faculties innocently for the relief of sensibilities made a part of his nature; that justice is the fundamental law of society; that the majority, oppressing an individual, is guilty of a crime, abuses its strength, and by acting on the law of the strongest breaks up the foundations of society; that action by the citizens in person, in affairs within their reach and competence, and in all others by representatives, chosen immediately, and removable by themselves, constitutes the essence of a republic; that all governments are more or less republican in proportion as this principle enters more or less into their composition; and that a government by representation is capable of extension over a greater surface of country than one of any other form. These, my friend, are the essentials in which you and I agree; however, in our zeal for their maintenance, we may be perplexed and divaricate, as to the structure of society most likely to secure them.

In the constitution of Spain, as proposed by the late Cortes, there was a principle entirely new to me, and not noticed in yours, that no person, born after that day, should ever acquire the rights of citizenship until he could read and write. It is impossible sufficiently to estimate the wisdom of this provision. Of all those which have been thought of for securing fidelity in the

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administration of the government, constant ralliance to the principles of the constitution, and progressive amendments with the progressive advances of the human mind, or changes in human affairs, it is the most effectual. Enlighten the people generally, and tyranny and oppressions of body and mind will vanish like evil spirits at the dawn of day. Although I do not, with some enthusiasts, believe that the human condition will ever advance to such a state of perfection as that there shall no longer be pain or vice in the world, yet I believe it susceptible of much improvement, and most of all, in matters of government and religion; and that the diffusion of knowledge among the people is to be the instrument by which it is to be effected. The constitution of the Cortes had defects enough; but when I saw in it this amendatory provision, I was satisfied all would come right in time, under its salutary operation. No people have more need of a similar provision than those for whom you have felt so much interest. No mortal wishes them more success than I do. But if what I have heard of the ignorance and bigotry of the mass be true, I doubt their capacity to understand and to support a free government; and fear that their emancipation from the foreign tyranny of Spain, will result in a military despotism at home. Palacios may be great; others may be great; but it is the multitude which possess force: and wisdom must yield to that. For such a condition of society, the constitution you have devised is probably the best imaginable. It is certainly calculated to elicit the best talents; although perhaps not well guarded against the egoism of its functionaries. But that egoism will be light in comparison with the pressure of a military despot, and his army of Janissaries. Like Solon to the Athenians, you have given to your Columbians, not the best possible government, but the best they can bear. By-the-bye, I wish you had called them the Columbian republics, to distinguish them from our American republics. Theirs would be the most honorable name, and they best entitled to it; for Columbus discovered their continent, but never saw ours.

To them liberty and happiness; to you the meed of wisdom and goodness in teaching them how to attain them, with the affectionate respect and friendship of,

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TO DR. GEORGE LOGAN. J. MSS.

MONTICELLO, May 19. 16.

It gives me the greatest pain, dear Sir, to make a serious complaint to you. From the letter which I wrote you on the 3d of Oct. 1813. an extract was published with my name, in the newspapers, conveying a very just, but certainly a very harsh censure on Bonaparte. This produced to me more complaints from my best friends, and called for more explanations than any transaction of my life had ever done. They inferred from this partial extract an approbation of the conduct of England, which yet the same letter had censured with equal rigour. It produced too from the Minister of Bonaparte a complaint, not indeed formal, for I was but a private citizen, but serious, of my volunteering with England in the abuse of his sovereign. It was incumbent on me to explain, by declaring to a member of the government that the extract was partial, and it's publication unauthorised. Notwithstanding the pain which this act had cost me, considering it on your part but as a mere inadvertence, on the receipt of your letter of Aug. 16. 15. I wrote an answer of Oct. 13. & again on receipt of that of the 27th Ult. I had begun an answer, when the arrival of our mail put into my hands a newspaper containing at full length mine of Oct. 13. It became necessary then to ask myself seriously whether I meant to enter as a political champion in the field of the newspapers? He who does this throws the gauntlet of challenge to every one who will take it up. It behoves him then to weigh maturely every sentiment, every fact, every sentence and syllable he commits to paper, and to be certain that he is ready with reason, and testimony to maintain every tittle before the tribunal of the public. But this is not our purpose when we write to a friend. We are careless, incorrect, in haste, perhaps under some transient excitement, and we hazard things without reflection, because without consequence in the bosom of a friend. Perhaps it may be said that the letter of Oct. 15 contained nothing offensive to others, nothing which could injure myself. It contained reprobation of the murders and desolations committed by the French nation, under their leader Bonaparte. It contained a condemnation of the allied powers for seizing and taking to themselves independent & unoffending countries, because too weak to

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defend themselves. In this they had done wrong, but was it my business to become the public accuser? And to undertake before the world to renounce their iniquities? And do you not think I had a right to decide this for myself? And to say whether the sentiments I trusted to you were meant for the whole world? I am sure that on reflection you will perceive that I ought to have been consulted.

I might have manifested my dissatisfaction by a silent reserve of all answer. But this would have offered a blank, which might have been filled up with erroneous imputations of sentiment. I prefer candid and open expression. No change of good will to you, none in my estimate of your integrity or understanding, has taken place, except as to your particular opinion on the rights of correspondence: and I pray you especially to assure Mrs. Logan of my constant and affectionate esteem & attachment, the just tribute of a respect for the virtues of her heart & head.[1]

TO JOHN TAYLOR. J.MSS.

MONTICELLO, May 28, 1816.

DEAR SIR,—On my return from a long journey and considerable absence from home, I found here the copy of your "Enquiry into the principles of our government," which you had been so

[1] Jefferson further wrote to Logan.

MONTICELLO, June 20. 1816.

Dear Sir,—Your favor of the 5th is now received. I never doubted the purity of your intentions in the publications of which I complained; but the correctness only of committing to the public a private correspondence not intended for their eye. As to federal slanders, I never wished them to be answered, but by the tenor of my life, half a century of which has been on a theatre at which the public have been spectators, and competent judges of it's merit. Their approbation has taught a lesson, useful to the world, that the man who fears no truths has nothing to fear from lies. I should have fancied myself half guilty had I condescended to put pen to paper in refutation of their falsehoods, or drawn to them respect by any notice from myself. But let all this be forgotten. Knowing now my repugnance to take any part in public discussions, I shall be confident in future of being spared that pain, and avail myself freely of every occasion of renewing to Mrs. Logan and yourself the assurance of my sincere & friendly remembrance, respect and attachment.

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kind as to send me; and for which I pray you to accept my thanks. The difficulties of getting new works in our situation, inland and without a single bookstore, are such as had prevented my obtaining a copy before; and letters which had accumulated during my absence, and were calling for answers, have not yet permitted me to give to the whole a thorough reading; yet certain that you and I could not think differently on the fundamentals of rightful government, I was impatient, and availed myself of the intervals of repose from the writing table, to obtain a cursory idea of the body of the work.

I see in it much matter for profound reflection; much which should confirm our adhesion, in practice, to the good principles of our constitution, and fix our attention on what is yet to be made good. The sixth section on the good moral principles of our government, I found so interesting and replete with sound principles, as to postpone my letter-writing to its thorough perusal and consideration. Besides much other good matter, it settles unanswerably the right of instructing representatives, and their duty to obey. The system of banking we have both equally and ever reprobated. I contemplate it as a blot left in all our constitutions, which, if not covered, will end in their destruction, which is already hit by the gamblers in corruption, and is sweeping away in its progress the fortunes and morals of our citizens. Funding I consider as limited, rightfully, to a redemption of the debt within the lives of a majority of the generation contracting it; every generation coming equally, by the laws of the Creator of the world, to the free possession of the earth he made for their subsistence, unincumbered by their predecessors, who, like them, were but tenants for life. You have successfully and completely pulverized Mr. Adams' system of orders, and his opening the mantle of republicanism to every government of laws, whether consistent or not with natural right. Indeed, it must be acknowledged, that the term *republic* is of very vague application in every language. Witness the self-styled republics of Holland, Switzerland, Genoa, Venice, Poland. Were I to assign to this term a precise and definite idea, I would say, purely and simply, it means a government by its citizens in mass, acting directly and personally, according to rules established by the ma-

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jority; and that every other government is more or less republican, in proportion as it has in its composition more or less of this ingredient of the direct action of the citizens. Such a government is evidently restrained to very narrow limits of space and population. I doubt if it would be practicable beyond the extent of a New England township. The first shade from this pure element, which, like that of pure vital air, cannot sustain life of itself, would be where the powers of the government, being divided, should be exercised each by representatives chosen either *pro hac vice*, or for such short terms as should render secure the duty of expressing the will of their constituents. This I should consider as the nearest approach to a pure republic, which is practicable on a large scale of country or population. And we have examples of it in some of our State constitutions, which, if not poisoned by priest-craft, would prove its excellence over all mixtures with other elements; and, with only equal doses of poison, would still be the best. Other shades of republicanism may be found in other forms of government, where the executive, judiciary and legislative functions, and the different branches of the latter, are chosen by the people more or less directly, for longer terms of years or for life, or made hereditary; or where there are mixtures of authorities, some dependent on, and others independent of the people. The further the departure from direct and constant control by the citizens, the less has the government of the ingredient of republicanism; evidently none where the authorities are hereditary, as in France, Venice, &c., or self-chosen, as in Holland; and little, where for life, in proportion as the life continues in being after the act of election.

The purest republican feature in the government of our own State, is the House of Representatives. The Senate is equally so the first year, less the second, and so on. The Executive still less, because not chosen by the people directly. The Judiciary seriously anti-republican, because for life; and the national arm wielded, as you observe, by military leaders, irresponsible but to themselves. Add to this the vicious constitution of our county courts (to whom the justice, the executive administration, the taxation, police, the military appointments of the county, and nearly all our daily concerns are confided), self-appointed, self-

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continued, holding their authorities for life, and with an impossibility of breaking in on the perpetual succession of any faction once possessed of the bench. They are in truth, the executive, the judiciary, and the military of their respective counties, and the sum of the counties makes the State. And add, also, that one half of our brethren who fight and pay taxes, are excluded, like Helots, from the rights of representation, as if society were instituted for the soil, and not for the men inhabiting it; or one half of these could dispose of the rights and the will of the other half, without their consent.

"What constitutes a State?
Not high-raised battlements, or labor'd mound,
Thick wall, or moated gate;
Not cities proud, with spires and turrets crown'd;
No: men, high minded men;
Men, who their duties know;
But know their rights; and knowing, dare maintain.
These constitute a State."

In the General Government, the House of Representatives is mainly republican; the Senate scarcely so at all, as not elected by the people directly, and so long secured even against those who do elect them; the Executive more republican than the Senate, from its shorter term, its election by the people, in *practice*, (for they vote for A only on an assurance that he will vote for B,) and because, *in practice also*, a principle of rotation seems to be in a course of establishment; the judiciary independent of the nation, their coercion by impeachment being found nugatory.

If, then, the control of the people over the organs of their government be the measure of its republicanism, and I confess I know no other measure, it must be agreed that our governments have much less of republicanism than ought to have been expected; in other words, that the people have less regular control over their agents, than their rights and their interests require. And this I ascribe, not to any want of republican dispositions in those who formed these constitutions, but to a submission of true principle to European authorities, to speculators on government, whose fears of the people have been inspired by the populace of their own great cities, and were unjustly entertained against the

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independent, the happy, and therefore orderly citizens of the United States. Much I apprehend that the golden moment is past for reforming these heresies. The functionaries of public power rarely strengthen in their dispositions to abridge it, and an unorganized call for timely amendment is not likely to prevail against an organized opposition to it. We are always told that things are going on well; why change them? "*Chi sta bene, non si muove*," said the Italian, "let him who stands well, stand still." This is true; and I verily believe they would go on well with us under an absolute monarch, while our present character remains, of order, industry and love of peace, and restrained, as he would be, by the proper spirit of the people. But it is while it remains such, we should provide against the consequences of its deterioration. And let us rest in the hope that it will yet be done, and spare ourselves the pain of evils which may never happen.

On this view of the import of the term *republic*, instead of saying, as has been said, "that it may mean anything or nothing," we may say with truth and meaning, that governments are more or less republican as they have more or less of the element of popular election and control in their composition; and believing, as I do, that the mass of the citizens is the safest depository of their own rights, and especially, that the evils flowing from the duperies of the people, are less injurious than those from the egoism of their agents, I am a friend to that composition of government which has in it the most of this ingredient. And I sincerely believe, with you, that banking establishments are more dangerous than standing armies; and that the principle of spending money to be paid by posterity, under the name of funding, is but swindling futurity on a large scale.

I salute you with constant friendship and respect.

TO FRANCIS W. GILMER. J.MSS.

MONTICELLO, June 7, 1816.

DEAR SIR,—I received a few days ago from Mr. Dupont the enclosed manuscript, with permission to read it, and a request, when read, to forward it to you, in expectation that you would translate it. It is well worthy of publication for the instruction

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of our citizens, being profound, sound, and short. Our legislators are not sufficiently apprized of the rightful limits of their power; that their true office is to declare and enforce only our natural rights and duties, and to take none of them from us. No man has a natural right to commit aggression on the equal rights of another; and this is all from which the laws ought to restrain him; every man is under the natural duty of contributing to the necessities of the society; and this is all the laws should enforce on him; and, no man having a natural right to be the judge between himself and another, it is his natural duty to submit to the umpirage of an impartial third. When the laws have declared and enforced all this, they have fulfilled their functions, and the idea is quite unfounded, that on entering into society we give up any natural right. The trial of every law by one of these texts, would lessen much the labors of our legislators, and lighten equally our municipal codes. There is a work of the first order of merit now in the press at Washington, by Destutt Tracy, on the subject of political economy, which he brings into the compass of three hundred pages, octavo. In a preliminary discourse on the origin of the right of property, he coincides much with the principles of the present manuscript; but is more developed, more demonstrative. He promises a future work on morals, in which I lament to see that he will adopt the principles of Hobbes, or humiliation to human nature; that the sense of justice and injustice is not derived from our natural organization, but founded on convention only. I lament this the more, as he is unquestionably the ablest writer living, on abstract subjects. Assuming the fact, that the earth has been created in time, and consequently the dogma of final causes, we yield, of course to this short syllogism. Man was created for social intercourse; but social intercourse cannot be maintained without a sense of justice; then man must have been created with a sense of justice. There is an error into which most of the speculators on government have fallen, and which the well-known state of society of our Indians ought, before now, to have corrected. In their hypothesis of the origin of government, they suppose it to have commenced in the patriarchal or monarchical form. Our Indians are evidently in that state of nature which has passed

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the association of a single family; and not yet submitted to the authority of positive laws, or of any acknowledged magistrate. Every man, with them, is perfectly free to follow his own inclinations. But if, in doing this, he violates the rights of another, if the case be slight, he is punished by the disesteem of his society, or, as we say, by public opinion; if serious, he is tomahawked as a dangerous enemy. Their leaders conduct them by the influence of their character only; and they follow, or not, as they please, him of whose character for wisdom or war they have the highest opinion. Hence the origin of the parties among them adhering to different leaders, and governed by their advice, not by their command. The Cherokees, the only tribe I know to be contemplating the establishment of regular laws, magistrates, and government, propose a government of representatives, elected from every town. But of all things, they least think of subjecting themselves to the will of one man. This, the only instance of actual fact within our knowledge, will be then a beginning by republican, and not by patriarchal or monarchical government, as speculative writers have generally conjectured.

We have to join in mutual congratulations on the appointment of our friend Correa, to be minister or envoy of Portugal, here. This, I hope, will give him to us for life. Nor will it at all interfere with his botanical rambles or journeys. The government of Portugal is so peaceable and inoffensive, that it has never any altercations with its friends. If their minister abroad writes them once a quarter that all is well, they desire no more. I learn, (though not from Correa himself,) that he thinks of paying us a visit as soon as he is through his course of lectures. Not to lose this happiness again by my absence, I have informed him I shall set out for Poplar Forest the 20th instant, and be back the first week of July. I wish you and he could concert your movements so as to meet here, and that you would make this your head quarters. It is a good central point from which to visit your connections; and you know our practice of placing our guests at their ease, by showing them we are so ourselves and that we follow our necessary vocations, instead of fatiguing them by hanging unremittingly on their shoulders. I salute you with affectionate esteem and respect.

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TO WILLIAM H. CRAWFORD. J. MSS.

MONTICELLO, June 20, 1816.

DEAR SIR,—I am about to sin against all discretion, and knowingly, by adding to the drudgery of your letter-reading, this acknowledgment of the receipt of your favor of May the 31st, with the papers it covered. I cannot, however, deny myself the gratification of expressing the satisfaction I have received, not only from the general statement of affairs at Paris, in yours of December the 12th, 1814, (as a matter of history which I had not before received,) but most especially and superlatively, from the perusal of your letter of the 8th of the same month to Mr. Fisk, on the subject of draw-backs. This most heterogeneous principle was transplanted into ours from the British system, by a man whose mind was really powerful, but chained by native partialities to everything English; who had formed exaggerated ideas of the superior perfection of the English constitution, the superior wisdom of their government, and sincerely believed it for the good of this country to make them their model in everything; without considering that what might be wise and good for a nation essentially commercial, and entangled in complicated intercourse with numerous and powerful neighbors, might not be so for one essentially agricultural, and insulated by nature from the abusive governments of the old world.

The exercise, by our own citizens, of so much commerce as may suffice to exchange our superfluities for our wants, may be advantageous for the whole. But it does not follow, that with a territory so boundless, it is the interest of the whole to become a mere city of London, to carry on the business of one half the world at the expense of eternal war with the other half. The agricultural capacities of our country constitute its distinguishing feature; and the adapting our policy and pursuits to that, is more likely to make us a numerous and happy people, than the mimicry of an Amsterdam, a Hamburgh, or a city of London. Every society has a right to fix the fundamental principles of its association, and to say to all individuals, that, if they contemplate pursuits beyond the limits of these principles, and involving dangers which the society chooses to avoid, they must go somewhere else

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for their exercise; that we want no citizens, and still less ephemeral and pseudo-citizens, on such terms. We may exclude them from our territory, as we do persons infected with disease. Such is the situation of our country. We have most abundant resources of happiness within ourselves, which we may enjoy in peace and safety, without permitting a few citizens, infected with the mania of rambling and gambling, to bring danger on the great mass engaged in innocent and safe pursuits at home. In your letter to Fisk, you have fairly stated the alternatives between which we are to choose: 1, licentious commerce and gambling speculations for a few, with eternal war for the many; or, 2, restricted commerce, peace, and steady occupations for all. If any State in the Union will declare that it prefers separation with the first alternative, to a continuance in union without it, I have no hesitation in saying, "let us separate." I would rather the States should withdraw, which are for unlimited commerce and war, and confederate with those alone which are for peace and agriculture. I know that every nation in Europe would join in sincere amity with the latter, and hold the former at arm's length, by jealousies, prohibitions, restrictions, vexations and war. No earthly consideration could induce my consent to contract such a debt as England has by her wars for commerce, to reduce our citizens by taxes to such wretchedness, as that laboring sixteen of the twenty-four hours, they are still unable to afford themselves bread, or barely to earn as much oatmeal or potatoes as will keep soul and body together. And all this to feed the avidity of a few millionary merchants, and to keep up one thousand ships of war for the protection of their commercial speculations. I returned from Europe after our government had got under way, and had adopted from the British code the law of draw-backs. I early saw its effects in the jealousies and vexations of Britain; and that, retaining it, we must become like her an essentially warring nation, and meet, in the end, the catastrophe impending over her. No one can doubt that this alone produced the orders of council, the depredations which preceded, and the war which followed them. Had we carried but our own produce, and brought back but our own wants, no nation would have troubled us. Our commercial dashers, then, have already

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cost us so many thousand lives, so many millions of dollars, more than their persons and all their commerce were worth. When war was declared, and especially after Massachusetts, who had produced it, took side with the enemy waging it, I pressed on some confidential friends in Congress to avail us of the happy opportunity of repealing the draw-back; and I do rejoice to find that you are in that sentiment. You are young, and may be in the way of bringing it into effect. Perhaps time, even yet, and change of tone, (for there are symptoms of that in Massachusetts,) may not have obliterated altogether the sense of our late feelings and sufferings; may not have induced oblivion of the friends we have lost, the depredations and conflagrations we have suffered, and the debts we have incurred, and have to labor for through the lives of the present generation. The earlier the repeal is proposed, the more it will be befriended by all these recollections and considerations. This is one of three great measures necessary to insure us permanent prosperity. This preserves our peace. A second should enable us to meet any war, by adopting the report of the war department, for placing the force of the nation at effectual command; and a third should insure resources of money by the suppression of all paper circulation during peace, and licensing that of the nation alone during war. The metallic medium of which we should be possessed at the commencement of a war, would be a sufficient fund for all the loans we should need through its continuance; and if the national bills issued, be bottomed (as is indespensable) on pledges of specific taxes for their redemption within certain and moderate epochs, and be of proper denominations for circulation, no interest on them would be necessary or just, because they would answer to every one the purposes of the metallic money withdrawn and replaced by them.

But possibly these may be the dreams of an old man, or that the occasions of realizing them may have passed away without return. A government regulating itself by what is wise and just for the many, uninfluenced by the local and selfish views of the few who direct their affairs, has not been seen perhaps, on earth. Or if it existed, for a moment, at the birth of ours, it would not be easy to fix the term of its continuance. Still, I believe it does exist here in a greater degree than anywhere else; and for its

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growth and continuance, as well as for your personal health and happiness, I offer sincere prayers, with the homage of my respect and esteem.

TO SAMUEL KERCHEVAL. J. MSS.

MONTICELLO, July 12, 1816.

SIR,—I duly received your favor of June the 13th, with the copy of the letters on the calling a convention, on which you are pleased to ask my opinion. I have not been in the habit of mysterious reserve on any subject, nor of buttoning up my opinions within my own doublet. On the contrary, while in public service especially, I thought the public entitled to frankness, and intimately to know whom they employed. But I am now retired: I resign myself, as a passenger, with confidence to those at present at the helm, and ask but for rest, peace and good will. The question you propose, on equal representation, has become a party one, in which I wish to take no public share. Yet, if it be asked for your own satisfaction only, and not to be quoted before the public, I have no motive to withhold it, and the less from you, as it coincides with your own. At the birth of our republic, I committed that opinion to the world, in the draught of a constitution annexed to the "Notes on Virginia," in which a provision was inserted for a representation permanently equal. The infancy of the subject at that moment, and our inexperience of self-government, occasioned gross departures in that draught from genuine republican canons. In truth, the abuses of monarchy had so much filled all the space of political contemplation, that we imagined everything republican which was not monarchy. We had not yet penetrated to the mother principle, that "governments are republican only in proportion as they embody the will of their people, and execute it." Hence, our first constitutions had really no leading principles in them. But experience and reflection have but more and more confirmed me in the particular importance of the equal representation then proposed. On that point, then, I am entirely in sentiment with your letters; and only lament that a copy-right of your pamphlet prevents their appearance in the newspapers, where alone they would be gen-

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erally read, and produce general effect. The present vacancy too, of other matter, would give them place in every paper, and bring the question home to every man's conscience.

But inequality of representation in both Houses of our legislature, is not the only republican heresy in this first essay of our revolutionary patriots at forming a constitution. For let it be agreed that a government is republican in proportion as every member composing it has his equal voice in the direction of its concerns (not indeed in person, which would be impracticable beyond the limits of a city, or small township, but) by representatives chosen by himself, and responsible to him at short periods, and let us bring to the test of this canon every branch of our constitution.

In the legislature, the House of Representatives is chosen by less than half the people, and not at all in proportion to those who do choose. The Senate are still more disproportionate, and for long terms of irresponsibility. In the Executive, the Governor is entirely independent of the choice of the people, and of their control; his Council equally so, and at best but a fifth wheel to a wagon. In the Judiciary, the judges of the highest courts are dependent on none but themselves. In England, where judges were named and removable at the will of an hereditary executive, from which branch most misrule was feared, and has flowed, it was a great point gained, by fixing them for life, to make them independent of that executive. But in a government founded on the public will, this principle operates in an opposite direction, and against that will. There, too, they were still removable on a concurrence of the executive and legislative branches. But we have made them independent of the nation itself. They are irremovable, but by their own body, for any depravities of conduct, and even by their own body for the imbecilities of dotage. The justices of the inferior courts are self-chosen, are for life, and perpetuate their own body in succession forever, so that a faction once possessing themselves of the bench of a county, can never be broken up, but hold their county in chains, forever indissoluble. Yet these justices are the real executive as well as judiciary, in all our minor and most ordinary concerns. They tax us at will; fill the office of sheriff, the most important of all the

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executive officers of the county; name nearly all our military leaders, which leaders, once named, are removable but by themselves. The juries, our judges of all fact, and of law when they choose it, are not selected by the people, nor amenable to them. They are chosen by an officer named by the court and executive. Chosen, did I say? Picked up by the sheriff from the loungings of the court yard, after everything respectable has retired from it. Where then is our republicanism to be found? Not in our constitution certainly, but merely in the spirit of our people. That would oblige even a despot to govern us republicanly. Owing to this spirit, and to nothing in the form of our constitution, all things have gone well. But this fact, so triumphantly misquoted by the enemies of reformation, is not the fruit of our constitution, but has prevailed in spite of it. Our functionaries have done well, because generally honest men. If any were not so, they feared to show it.

But it will be said, it is easier to find faults than to amend them. I do not think their amendment so difficult as is pretended. Only lay down true principles, and adhere to them inflexibly. Do not be frightened into their surrender by the alarms of the timid, or the croakings of wealth against the ascendency of the people. If experience be called for, appeal to that of our fifteen or twenty governments for forty years, and show me where the people have done half the mischief in these forty years, that a single despot would have done in a single year; or show half the riots and rebellions, the crimes and the punishments, which have taken place in any single nation, under kingly government, during the same period. The true foundation of republican government is the equal right of every citizen, in his person and property, and in their management. Try by this, as a tally, every provision of our constitution, and see if it hangs directly on the will of the people. Reduce your legislature to a convenient number for full, but orderly discussion. Let every man who fights or pays, exercise his just and equal right in their election. Submit them to approbation or rejection at short intervals. Let the executive be chosen in the same way, and for the same term, by those whose agent he is to be; and leave no screen of a council behind which to skulk from responsibility. It has been thought

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that the people are not competent electors of judges *learned in the law*. But I do not know that this is true, and, if doubtful, we should follow principle. In this, as in many other elections, they would be guided by reputation, which would not err oftener, perhaps, than the present mode of appointment. In one State of the Union, at least, it has long been tried, and with the most satisfactory success. The judges of Connecticut have been chosen by the people every six months, for nearly two centuries, and I believe there has hardly ever been an instance of change; so powerful is the curb of incessant responsibility. If prejudice, however, derived from a monarchichal institution, is still to prevail against the vital elective principle of our own, and if the existing example among ourselves of periodical election of judges by the people be still mistrusted, let us at least not adopt the evil, and reject the good, of the English precedent; let us retain amovability on the concurrence of the executive and legislative branches, and nomination by the executive alone. Nomination to office is an executive function. To give it to the legislature, as we do, is a violation of the principle of the separation of powers. It swerves the members from correctness, by temptations to intrigue for office themselves, and to a corrupt barter of votes; and destroys responsibility by dividing it among a multitude. By leaving nomination in its proper place, among executive functions, the principle of the distribution of power is preserved, and responsibility weighs with its heaviest force on a single head.

The organization of our county administrations may be thought more difficult. But follow principle, and the knot unties itself. Divide the counties into wards of such size as that every citizen can attend, when called on, and act in person. Ascribe to them the government of their wards in all things relating to themselves exclusively. A justice, chosen by themselves, in each, a constable, a military company, a patrol, a school, the care of their own poor, their own portion of the public roads, the choice of one or more jurors to serve in some court, and the delivery, within their own wards, of their own votes for all elective officers of higher sphere, will relieve the county administration of nearly all its business, will have it better done, and by making every citizen an acting member of the government, and in the offices

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nearest and most interesting to him, will attach him by his strongest feelings to the independence of his country, and its republican constitution. The justices thus chosen by every ward, would constitute the county court, would do its judiciary business, direct roads and bridges, levy county and poor rates, and administer all the matters of common interest to the whole country. These wards, called townships in New England, are the vital principle of their governments, and have proved themselves the wisest invention ever devised by the wit of man for the perfect exercise of self-government, and for its preservation. We should thus marshal our government into, 1, the general federal republic, for all concerns foreign and federal: 2, that of the State, for what relates to our own citizens exclusively; 3, the county republics, for the duties and concerns of the county; and 4, the ward republics, for the small, and yet numerous and interesting concerns of the neighborhood; and in government, as well as in every other business of life, it is by division and subdivison of duties alone, that all matters, great and small, can be managed to perfection. And the whole is cemented by giving to every citizen, personally, a part in the administration of the public affairs.

The sum of these amendments is, 1. General Suffrage. 2. Equal representation in the legislature. 3. An executive chosen by the people. 4. Judges elective or amovable. 5. Justices, jurors, and sheriffs elective. 6. Ward divisions. And 7. Periodical amendments of the constitution.

I have thrown out these as loose heads of amendment, for consideration and correction; and their object is to secure self-government by the republicanism of our constitution, as well as by the spirit of the people; and to nourish and perpetuate that spirit. I am not among those who fear the people. They, and not the rich, are our dependence for continued freedom. And to preserve their independence, we must not let our rulers load us with perpetual debt. We must make our election between *economy and liberty*, or *profusion and servitude*. If we run into such debts, as that we must be taxed in our meat and in our drink, in our necessaries and our comforts, in our labors and our amusements, for our callings and our creeds, as the people of England are, our people, like them, must come to labor sixteen

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hours in the twenty-four, give the earnings of fifteen of these to the government for their debts and daily expenses; and the sixteenth being insufficient to afford us bread, we must live, as they now do, on oatmeal and potatoes; have no time to think, no means of calling the mismanagers to account; but be glad to obtain subsistence by hiring ourselves to rivet their chains on the necks of our fellow-sufferers. Our landholders, too, like theirs, retaining indeed the title and stewardship of estates called theirs, but held really in trust for the treasury, must wander, like theirs, in foreign countries, and be contented with penury, obscurity, exile, and the glory of the nation. This example reads to us the salutary lesson, that private fortunes are destroyed by public as well as by private extravagance. And this is the tendency of all human governments. A departure from principle in one instance becomes a precedent for a second; that second for a third; and so on, till the bulk of the society is reduced to be mere automatons of misery, and to have no sensibilities left but for sinning and suffering. Then begins, indeed, the *bellum omnium in omnia*, which some philosophers observing to be so general in this world, have mistaken it for the natural, instead of the abusive state of man. And the fore horse of this frightful team is public debt. Taxation follows that, and in its train wretchedness and oppression.

Some men look at constitutions with sanctimonious reverence, and deem them like the arc of the covenant, too sacred to be touched. They ascribe to the men of the preceding age a wisdom more than human, and suppose what they did to be beyond amendment. I knew that age well; I belonged to it, and labored with it. It deserved well of its country. It was very like the present, but without the experience of the present; and forty years of experience in government is worth a century of book-reading; and this they would say themselves, were they to rise from the dead. I am certainly not an advocate for frequent and untried changes in laws and constitutions. I think moderate imperfections had better be borne with; because, when once known, we accommodate ourselves to them, and find practical means of correcting their ill effects. But I know also, that laws and institutions must go hand in hand with the progress of the human

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mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths disclosed, and manners and opinions change with the change of circumstances, institutions must advance also, and keep pace with the times. We might as well require a man to wear still the coat which fitted him when a boy, as civilized society to remain ever under the regimen of their barbarous ancestors. It is this preposterous idea which has lately deluged Europe in blood. Their monarchs, instead of wisely yielding to the gradual change of circumstances, of favoring progressive accommodation to progressive improvement, have clung to old abuses, entrenched themselves behind steady habits, and obliged their subjects to seek through blood and violence rash and ruinous innovations, which, had they been referred to the peaceful deliberations and collected wisdom of the nation, would have been put into acceptable and salutary forms. Let us follow no such examples, nor weakly believe that one generation is not as capable as another of taking care of itself, and of ordering its own affairs. Let us, as our sister States have done, avail ourselves of our reason and experience, to correct the crude essays of our first and unexperienced, although wise, virtuous, and well-meaning councils. And lastly, let us provide in our constitution for its revision at stated periods. What these periods should be, nature herself indicates. By the European tables of mortality, of the adults living at any one moment of time, a majority will be dead in about nineteen years. At the end of that period, then, a new majority is come into place; or, in other words, a new generation. Each generation is as independent as the one preceding, as that was of all which had gone before. It has then, like them, a right to choose for itself the form of government it believes most promotive of its own happiness; consequently, to accommodate to the circumstances in which it finds itself, that received from its predecessors; and it is for the peace and good of mankind, that a solemn opportunity of doing this every nineteen or twenty years, should be provided by the constitution; so that it may be handed on, with periodical repairs, from generation to generation, to the end of time, if anything human can so long endure. It is now forty years since the constitution of Virginia was formed. The same tables inform us, that, within that period,

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two-thirds of the adults then living are now dead. Have then the remaining third, even if they had the wish, the right to hold in obedience to their will, and to laws heretofore made by them, the other two-thirds, who, with themselves, compose the present mass of adults? If they have not, who has? The dead? But the dead have no rights. They are nothing; and nothing cannot own something. Where there is no substance, there can be no accident. This corporeal globe, and everything upon it, belong to its present corporeal inhabitants, during their generation. They alone have a right to direct what is the concern of themselves alone, and to declare the law of that direction; and this declaration can only be made by their majority. That majority, then, has a right to depute representatives to a convention, and to make the constitution what they think will be the best for themselves. But how collect their voice? This is the real difficulty. If invited by private authority, or county or district meetings, these divisions are so large that few will attend; and their voice will be imperfectly, or falsely pronounced. Here, then, would be one of the advantages of the ward divisions I have proposed. The mayor of every ward, on a question like the present, would call his ward together, take the simple yea or nay of its members, convey these to the county court, who would hand on those of all its wards to the proper general authority; and the voice of the whole people would be thus fairly, fully, and peaceably expressed, discussed, and decided by the common reason of the society. If this avenue be shut to the call of sufferance, it will make itself heard through that of force, and we shall go on, as other nations are doing, in the endless circle of oppression, rebellion, reformation; and oppression, rebellion, reformation, again; and so on forever.

These, Sir, are my opinions of the governments we see among men, and of the principles by which alone we may prevent our own from falling into the same dreadful track. I have given them at greater length than your letter called for. But I cannot say things by halves; and I confide them to your honor, so to use them as to preserve me from the gridiron of the public papers. If you shall approve and enforce them, as you have done that of equal representation, they may do some good. If not, keep them

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to yourself as the effusions of withered age and useless time. I shall, with not the less truth, assure you of my great respect and consideration.[1]

[1] On this same subject Jefferson wrote to Kercheval the following two letters:

MONTICELLO, September 5, 1816.

SIR,—Your letter of August the 16th is just received. That which I wrote to you under the address of H. Tompkinson, was intended for the author of the pamphlet you were so kind as to send me, and therefore, in your hands, found its true destination. But I must beseech you, Sir, not to admit a possibility of its being published. Many good people will revolt from its doctrines, and my wish is to offend nobody; to leave to those who are to live under it, the settlement of their own constitution, and to pass in peace the remainder of my time. If those opinions are sound, they will occur to others, and will prevail by their own weight, without the aid of names. I am glad to see that the Staunton meeting has rejected the idea of a limited convention. The article, however, nearest my heart, is the division of counties into wards. These will be pure and elementary republics, the sum of all which, taken together, composes the State, and will make of the whole a true democracy as to the business of the wards, which is that of nearest and daily concern. The affairs of the larger sections, of counties, of States, and of the Union, not admitting personal transaction by the people, will be delegated to agents elected by themselves; and representation will thus be substituted, where personal action becomes impracticable. Yet, even over these representative organs, should they become corrupt and perverted, the division into wards constituting the people, in their wards, a regularly organized power, enables them by that organization to crush, regularly and peaceably, the usurpations of their unfaithful agents, and rescues them from the dreadful necessity of doing it insurrectionally. In this way we shall be as republican as a large society can be; and secure the continuance of purity in our government, by the salutary, peaceable, and regular control of the people. No other depositories of power have ever yet been found, which did not end in converting to their own profit the earnings of those committed to their charge. George the III. in execution of the trust confided to him, has, within his own day, loaded the inhabitants of Great Britain with debts equal to the whole fee-simple value of their island, and under pretext of governing it, has alienated its whole soil to creditors who could lend money to be lavished on priests, pensions, plunder and perpetual war. This would not have been so, had the people retained organized means of acting on their agents. In this example, then, let us read a lesson for ourselves, and not "go and do likewise."

Since writing my letter of July the 12th, I have been told, that on the question of equal representation, our fellow citizens in some sections of the State claim peremptorily a right of representation for their slaves. Principle will, in this, as in most other cases, open the way for us to correct conclusion. Were

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TO THOMAS APPLETON. J. MSS.

MONTICELLO, July 18, 16.

DEAR SIR,—Your letter of Mar. 20. & Apr. 15. are both received. The former only a week ago. They brought me the first information of the death of my antient friend Mazzei, which I learn with sincere regret. He had some peculiarities, & who of us has not? But he was of solid worth; honest, able, zealous in sound principles Moral & political, constant in friendship, and punctual in all his undertakings. He was greatly esteemed in this country, and some one has inserted in our papers an account of his death, with a handsome and just eulogy of him, and a proposition to publish his life in one 8vo. volume. I have no doubt but that what he has written of himself during the portion of the revolutionary

our State a pure democracy, in which all its inhabitants should meet together to transact all their business, there would yet be excluded from their deliberations, 1, infants, until arrived at years of discretion. 2. Women, who, to prevent depravation of morals and ambiguity of issue, could not mix promiscuously in the public meetings of men. 3. Slaves, from whom the unfortunate state of things with us takes away the right of will and of property. Those then who have no will could be permitted to exercise none in the popular assembly; and of course, could delegate none to an agent in a representative assembly. The business, in the first case, would be done by qualified citizens only. It is true, that in the general constitution, our State is allowed a larger representation on account of its slaves. But every one knows, that that constitution was a matter of compromise; a capitulation between conflicting interests and opinions. In truth, the condition of different descriptions of inhabitants in any country is a matter of municipal arrangement, of which no foreign country has a right to take notice. All its inhabitants are men as to them. Thus, in the New England States, none have the powers of citizens but those whom they call *freemen*; and none are *freemen* until admitted by a vote of the freemen of the town. Yet, in the General Goverment, these non-freemen are counted in their quantum of representation and of taxation. So, slaves with us have no powers as citizens; yet, in representation in the General Government, they count in the proportion of three to five; and so also in taxation. Whether this is equal, is not here the question. It is a capitulation of discordant sentiments and circumstances, and is obligatory on that ground. But this view shows there is no inconsistency in claiming representation for them for the other States, and refusing it within our own. Accept the renewal of assurances of my respect.

MONTICELLO, Oct. 8, 16.

SIR,—A friend in your part of the country informs me that he has seen, in pretty free circulation, a letter from me to yourself on the subject of a Con-

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period he passed with us, would furnish some good material for our history of which there is already a wonderful scarcity. But where this undertaker of his history is to get his materials, I know not, nor who he is.

I have received Mr. Carmigniani's letter requesting the remittance of his money in my hands. How and when this can be done I have written him in the inclosed letter, which I leave open for your perusal; after which be so good as to stick a wafer in it, & have it delivered. I had just begun a letter to Mazzei, excusing to him the non-remittance the present year, as requested thro' you by his family. And I should have stated to him with good faith, that the war-taxes of the last year, almost equal to the amount of our whole income, and a season among the most unfavorable to agriculture ever known made it a year of war as to it's pressure, & obliged me to postpone the commencement of the annual remittances until the ensuing spring. The receipt of your

vention, that it was in the hands of a printer, that he had heard several speak of having seen it, and the idea was that it was refused to none who asked for it. I cannot but be alarmed at this information. My letter of July 12. was expressly confided to your honor, to be so used as to be kept from the public papers; and that of Sep. 5. further pressed my request that you would not admit it a possibilty of it 's being published. I did expect and had no objections, that you should be at liberty to communicate it 's contents to particular friends in whom you had confidence; but not that you would permit it to go out of your own hands, still less into those of a printer, to be shewn to every one, perhaps to be copied and finally published. I must, Sir, reiterate my prayers to you to recall the original, and the copies, if any have been taken. The question of a Convention is become a party one with which I shall not intermeddle. I am willing to live under the constitution, as it is, if a majority of my fellow-citizens prefer it; altho' I think it might be made better, and, for the sake of future generations (when principles shall have become too relaxed to permit amendment, as experience proves to be the constant course of things) I wished to have availed them of the virtues of the present time to put into a chaste & secure form, the government to be handed down to them. But I repeat that if a majority of my fellow-citizens are contented with what will last their time, I am so also, and with the more reason as mine is nearly out. I again throw the quiet of my life on your honor, and repeat the assurances of my respect.

P.S. On revisal of my letter of Sep. 5. I discover an error which be pleased to correct with the pen, by striking out of the 5th line from the close, the words ' as 5 ' and inserting ' so also.'

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letter, and of Mr. Carmigniani's only rendered it necessary to change the address of mine. The sale was made during the war, when the remittance of the price was impossible: nor was there here any depot for it at that time which would have been safe, profitable, and ready to repay the principal on demand. I retained it therefore myself to avoid the risk of the banks, to yield the profit the treasury could have given, and to admit a command of the principal at a shorter term. It was of course, therefore that I must invest it in some way to countervail the interest, and being but a farmer receiving rents and profits but once a year, it will take time to restore it to the form of money again, which I explained to Mr. Mazzei in the letter I wrote to him at the time. Exchange is much against us at present, owing to the immense importations made immediately after peace, and to the redundancy of our paper medium. The legislatures have generally required the banks to call in this redundancy. They are accordingly curtailing discounts, & collecting their debts, so that by the spring, when the first remittance will be made, our medium will be greatly reduced, and it's value increased proportionably. The crop of this year too, when exported will so far lessen the foreign debt & the demand for bills of exchange. These circumstances taken together promise a good reduction in the rate of exchange, which you can more fully explain in conversation to Mr. Carmigniani.

I am happy to inform you that the administrator of Mr. Bellini has at length settled his account, and deposited the balance 635. Dollars 48 cents in the bank of Virginia, at Richmond. I think it the safest bank in the U. S. and it has been for some time so prudently preparing itself for cash payments, as to inspire a good degree of confidence, & moreover I shall keep my eye on it, but the money while there bears no interest; and I did not chuse to take it myself on interest reimbursable *on demand*. It would be well then that Mr. Fancelli should withdraw it as soon as he can; his draught on me shall be answered at sight to the holder, by one on the bank. In the present state of our exchange, & the really critical standing of our merchants at this time, I have been afraid to undertake it's remittance, because it could only be done by a bill of some merchant here on his correspondent in England, and both places are at this time a little suspicious. I

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know nothing so deplorable as the present condition of the inhabitants of Europe and do not wonder therefore at their desire to come to this country. Laborers in any of the arts would find abundant employ in this state at 100. D. a year & their board and lodging. And indeed if a sober good humored man understanding the vineyard & kitchen garden would come to me on those terms, bound to serve 4. years, I would advance his passage on his arrival, setting it off against his subsequent wages. But he must come to the port of Norfolk or Richmond, & no where else. If such a one should occur to you, you would oblige me by sending him. I remark the temporary difficulty you mention of obtaining good Montepulciano, and prefer waiting for that, when to be had, to a quicker supply of any other kind which might not so certainly suit our taste. It might not be amiss perhaps to substitute a bottle or two as samples of any other wines which would bear the voyage, and be of a quality and price to recommend them. You know we like dry wines, or at any rate not more than sillery. I salute you with constant friendship and respect.[1]

[1] On the subject of this business matter Jefferson further wrote to Giovanni Carmigniani:

MONTICELLO IN VIRGINIA, July 18, 1816.

SIR,—Within these few days I have received your favor of April 7, with certificates of the death of my estimable friend Philip Mazzei, and a copy of his Will. I learn this event with great affliction, altho' his advanced age had given reason to apprehend it. An intimacy of 40. years had proved to me his great worth, and a friendship which had begun in personal acquaintance, was maintained after separation, without abatement by a constant interchange of letters. His esteem too in this country was very general; his early & zealous cooperation in the establishment of our independance having acquired for him here a great degree of favor.

Having left under my care the property which he had not been able to dispose of and to carry with him to Europe, it is some years since I had been able to settle all his affairs here, and to have the whole proceeds remitted to him, except for his house and lot in Richmond. This being in the possession of another, a course of law became necessary to recover it, and after the recovery, it was sometime before it could be disposed of at a reasonable price. Very favourable circumstances however occurring at length, I was enabled to get for it a sum very far beyond what had ever been expected or asked. This was in the time of our late war with England while a close blockade of our harbors cut off all commercial intercourse with Europe, and rendered a remittance of the

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TO JOHN TAYLOR. J. MSS.

MONTICELLO, July 21. 16.

DEAR SIR,—Yours of the 10th is received, and I have to acknolege a copious supply of the turnip seed requested. Besides taking care myself, I shall endeavour again to commit it to the depository of the neighborhood, generally found to be the best precaution against losing a good thing. * * * I will add a

price impossible. The question then arose what could be done with the money? Our banks, which had been heretofore considered as safe depositories of money, had excited alarm as to their solvability by the profuse emission of their notes; and in fact they declared, soon after, their inability to pay their notes, in which condition they still continue; and could they have been trusted with the money, no interest would have been allowed by them. It might have been lent to the government, who would have paid an interest; but then the principal could not have been demanded under 15. or 20 years, the terms of their loans. I concluded therefore to retain it myself, at our legal interest of 6. per cent per annum as the only means of avoiding the risk of the banks, of yielding the profit which the treasury offered, with the command of the principal at a shorter period. But to indemnify myself for the interest I should have to pay, it was necessary I should invest it in some profitable course; and to restore it again to the form of money, would require some time after the close of the war. I explained this in a letter to Mr. Mazzei, and then supposed it might be done at two or three annual instalments, counting from the close of the war. Altho' the cessation of hostilities took place in spring of the last year, yet the war contributions continued thro the year, aggravated by the most calamitous season for agriculture almost ever known. Our term of peace then really began with the present year. I was about informing Mr. Mazzei that, counting from that period, the principal and interest should be remitted him in three annual instalments, when I received the information of his death. I had been led to propose to him this delay the less unwillingly, as I had received from his family, thro' Mr. Appleton, a request not to remit the principal, which they feared he would dispose of to loss.

I have thought this much necessary, Sir, to explain to you the present state of this fund, and the reasons why it cannot be remitted but by successive instalments. A third with it's interest shall be paid the ensuing spring, and the remainder in equal portions the two springs following that. The channel of remittance must depend on the circumstances of the time. The exchange with London at present is much against us. But the calls of the banks on their debtors, now rapidly going on, by reducing the redundance, of our medium, and the produce of agriculture this year, which as an article of remittance, will lessen the demand, & consequently the price of bills of exchange, will probably produce, by the next spring, a more favorable state of exchange for the first re-

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word on the political part of our letters. I believe we do not differ on either of the points you suppose: on education certainly not: of which the proofs are my bill "for the diffusion of knolege," prepared near 40. years ago; and my uniform endeavour to this day to get our counties divided into wards, one of the principal objects of which is the establishment of a primary school in each. But education not being a branch of municipal

mittance. In the meantime I shall receive & execute with pleasure & punctuality any instructions you may think proper to give me as to the channel and mode of remittance: and, receiving none, I will certainly do the best I can for the benefit of Mr. Mazzei's family, to whom I will render every service in my power with the same zeal I would have done for my deceased friend, of which I pray you to give them assurance with the homage of my great respect, and to accept yourself the tender of my high consideration.

A year later Jefferson wrote to Appleton as follows:

MONTICELLO, Aug. 1. 17.

DEAR SIR,—My last to you was of July 18. 16. since which I have received yours of May 15. and 30. July 30. Sep. 27 & Oct. 20. of the same year, & Mar. 5. of the present, with the seed of the Lupinella. This came to hand too late to be sown this season, and is therefore reserved for the ensuing spring. Mr. Madison received what you sent him somewhat earlier, & sowed a little (not chusing to venture the whole). I am recently returned from a visit to him and saw the plants just come up. From their appearance we judged them to be a species of Saintfoin. The next year however I shall sow the whole of mine, and be able to judge of it.

In my letter to you of July 18. and one of the same date to Mr. Carmigniani, on the subject of Mr. Mazzei's funds I explained the situation of this country, which, after being shut up from all means of disposing of its produce during a war of 3. years, had experienced seasons the most adverse to agriculture which had ever been known. At that moment also appearances were unfavorable for the year then current; but in the hope it might change for the better, I ventured to promise myself and Mr. Carmigniani that a commencement of remittance of principal and interest should be made in the present year. But the drought which was prevailing at the date of my letter, continued thro the whole season of the growth of our crops, and produced a failure in them much greater than in the preceding year; insomuch that there has been the greatest distress for bread, which has sold generally at 5. times its usual price. Few farmers have made enough of other things to pay for their bread; and the present year has been equally afflicting for their crop of wheat, by such an inundation of Hessian fly as was never seen before. A great part of my own crop has not yielded seed. Whole fields did not give an ear for every square foot; & many turned their cattle on their wheat to make something of it as pasture. After

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government, but, like the other arts and sciences, an accident only, I did not place it with election, as a fundamental member in the structure of government. * * * Nor, I believe, do we differ as to the county courts. I acknolege the value of this institution, that it is in truth our principal Executive & Judiciary, and that it does much for little *pecuniary* reward. It is their self-appointment I wish to correct, to find some means of breaking up

such a disaster the last year, and so gloomy a prospect for the present, following the distresses of the war, our farmers are scarcely able to meet the indispensable expences of taxes, culture & food for their families and labourers. Under such difficulties & prospects, I have not only been unable to make the remittance I had promised to Mr. Carmigniani, of the first portion of principal and interest, but am really afraid to promise it for the next, such are the prospects of the present season ; and unwilling by renewed and precise engagements to hazard renewed breaches of them I am constrained to sollicit the consent of the family to let the money lie awhile in my hands, and to receive remittances of it in portions as I can make them. They may be assured they shall be made as soon and as fast as would be in my power, were I to engage for specific sums and dates. The interest I solemnly engage to send them annually, and about this season of the year. I am in hopes that the punctual receipt of the interest from hence will be the same to them, as if received from a depository there, while it will be a kind accommodation to me ; and I hope it the more as this is really money which I recovered out of the fire for them, by lawsuits & persevering efforts, & which I am certain Mr. Mazzei, no more than myself had never hoped to obtain. With respect to the ultimate safety of the principal in my hands, any person from this state can satisfy them that my landed property alone is of more than fifty times the amount of this sum. Flattering myself then that under these circumstances, and where the difference to them is only whether they shall receive their interest from A. or from B. I shall be indulged with this accommodation, I have remitted to my friend John Vaughan of Philadelphia 400. Dollars to be invested in a good bill payable to yourself, with a request to you that you will pay to whoever of the family is entitled to receive it, a year's interest, to wit 380. Dollars 52 cents. Altho' I suggest an indulgence indefinite in it's particular term, I have no idea of postponing the commencement of my remittances, by thirds, more than a year or two longer. If the seasons should, against the course of nature hitherto observed continue constantly hostile to our agriculture, I will certainly relieve myself at once by a sale of property sufficient to refund this whole debt, a measure very disagreeable while the expectation exists of doing it from the annual profits ; and the family will be always free to discontinue the indulgence if the delay should be protracted unreasonably and inconveniently to them. The nett proceeds of the sale of the ground in Richmond was 6342, say six thousand three hundred

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a Cabal, when such a one gets possession of the bench. When this takes place, it becomes the most afflicting of tyrannies, because it's powers are so various, and exercised on every thing most immediately around us. And how many instances have you and I known of these monopolies of county administration! I know a county in which a particular family (a numerous one) got possession of the bench, and for a whole generation, never admitted

and forty two Dollars, received July 14. 1813. If the family consents to my proposal, I will, on being so informed, settle up the back interest, add it to the principal, send them a specific obligation and thenceforth remit annually the interest of six per cent. with portions of the principal as fast as I shall be able. I think there remains no other item of account between Mr. Mazzei and myself, except 50. D. paid to the lawyer employed in the recovery & 20. D. to Mr. Derieux by particular request of Mr. Mazzei.

I write all this to you, because you have hitherto been the mutual channel of this business; for altho Mr. Carmigniani wrote me a letter which I answered July 18. as before mentioned, with a full explanation of the state of the debt, the circumstances which had occasioned it's remaining in my hands, and the remittances proposed, yet the marriage of Miss Mazzei with Mr. Pini has, I supposed determined his agency. I shall be uneasy until I learn that the family is contented with this arrangement, and I will therefore sollicit an early line from you. . . .

Still later he wrote to Appleton:

MONTICELLO, July 13, 20.

DEAR SIR,—My letters to you, within the last 12. months have been of May 28. 19. with the annual remittance to M. & Me. Pini, Sep. 3. informing you of a remittance thro' Mr. Vaughan of 300. D. for the wives of the two Raggis, and Feb. 15. 20. announcing a remittance of 400. D. for the same persons to pay their passage and expences to the U S. Since the last of these your two of Jan. 15. & 21. have been received. I wonder much that the remittance of the 300. D. had not got to hand at the date of yours of Jan. 21. but that transaction having passed between Mr. Vaughan and our Proctor, I am not able to state the particulars of it's transmission. I hope however it is long since at hand. As to the 400. D. of Feb. last, Mr. Vaughan in a letter of Mar. 3. says "the 400 D. have been received, and I purchased S. Girard's bill on Jas. Lafite and Co. Paris at 60. days to order of Thos. Appleton for 2135 90/100—equal to 403. D. which I have forwarded to him under cover to Bernard Henry, Gibraltar, by the Newburn, Capt. Cushing via Madeira, & duplicate by the Pleiades Capt. West direct to Gibraltar, under care of a friend. The 3d I shall send via New York. By the Pleiades I sent your letter to Mr. Appleton." Since your information as to the post thro' Spain I much regret that this last remittance has gone by Gibraltar. Altho' I should have supposed opportunities from that to Leghorn by sea could not have been rare. However I shall caution Mr.

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a man on it who was not of it's clan or connection. I know a county now of 1500. militia, of which 60. are federalists. It's court is of 30. members of whom 20. are federalists (every third man of the sect) wherein there are large and populous districts, without a justice, because without a federalist for appointment, and the militia as disproportionably under federal officers; and there is no authority on earth which can break up this junto short of a general convention. The remaining 1440 free, fighting, & paying citizens are governed by men neither of their choice nor confidence & without a hope of relief. They are certainly ex-

Vaughan against it in future, and recommend London & Paris, perhaps also Marseilles where an opportunity to Leghorn direct does not occur.

In mine of Feb. 15. I mentioned that I should make my annual remittance to M. & Me Pini in April or May. I am however to this date before it could be done. The extraordinary embarrassments produced by the sudden withdrawing of one half of our circulating medium has in a great measure suspended money transactions. 9. out of 10. of the banks of the different states have blown up; the adventurers calling themselves merchants, who had been trading on bank credits, have been swept away. Those who stood the ordeal still suspend their business, from caution, till the storm shall be over, so that from want of medium, and the want of purchasers at market, property & produce are fallen one half. We had 18. month ago 6. millions of Dollars in circulation in this state, of paper; we have but 3 millions now. Produce, say flour sold from 8. to 16. D. a barrel. It is now at 4. D. This extraordinary curtaillment in the profits of the year has brought on a general distress, unknown before in the annals of our country. Before this explosion in our commerce, I had hoped myself to have been able in good time to remit the principal of my debt to M. & Me Pini, from the annual profits of my estate: but the fall in the price of produce, likely to continue some time yet, has induced me to give up that hope and to determine on the sale of property sufficient for that paiment. This I will certainly do as soon as the present suspension of buying and selling ceases, and bidders at a fair price return into the market. At this time nothing can be sold at half price. These difficulties have made me a little later than I had expected in the remittance of interest this year to M. & Me Pini. I have now placed in Mr. Vaughan's hands 444 D. with a request to vest it in a bill of Mr. Girard on Paris, (the most solid channel of remittance, and indulged to me as a favor,) and to send it via Paris or London, or both; so that I hope it will have a safe and speedy passage to you. . . .

P. S. June 30. 20. I had written thus far when your favor of May 18. came to hand. The remittance of 300. D. for the Raggis, mentioned in my letter from Poplar Forest, I find on enquiry was not carried into execution. The Proctor informs me that they soon after changed their minds, concluded to send for their wives, which requiring a larger sum, produced delay till the state of their accounts admitted it, this brought on winter and finally the remittance

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cluded from the blessings of a free government for life, & indefinitely for ought the constitution has provided. This solecism may be called anything but republican, and ought undoubtedly to be corrected. I salute you with constant friendship and respect.

TO JOSEPH DELAPLAINE. J. MSS.

MONTICELLO, July 26, 1816.

DEAR SIR,—In compliance with the request of your letter of the 6th inst., with respect to Peyton Randolph, I have to observe that the difference of age between him and myself admitted my knowing little of his early life, except what I accidentally caught from occasional conversations. I was a student at college when he was already Attorney General at the bar, and a man of established years; and I had no intimacy with him until I went to the bar myself, when, I suppose, he must have been upwards of forty; from that time, and especially after I became a member of the legislature, until his death, our intimacy was cordial, and I was with him when he died. Under these circumstances, I have committed to writing as many incidents of his life as memory en-

of 400. D. was made only in time for them to sail in spring. On the subject of what I owe to Mr. Mazzei's representatives. I had already made up my mind to clear it out as soon as possible. Like thousands of others, I had sustained some losses by being security for a friend who failed under the late general bankruptcies. This not admitting the delay of annual crops I had come to the resolution of selling some unprofitable property to pay at once and to make the sale sufficient to discharge the debt to M. & Me Pini. As yet however nothing can be sold. All confidence is suspended, and fear takes it's place. The grounds for example in Richmd of Mr. Mazzei which sold for 6432 D. could not now be sold for 1500 D. It will probably be another year before the fair prices of things are settled and proportioned to the reduction of circulating medium. I shall certainly take advantage of the first possibilities of disposing of property to disengage myself. It is this same state of commerce which has delayed to this date the remittance of this year's interest: I salute you with constant & affectionate friendship and respect.

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abled me to do, and to give faith to the many and excellent qualities he possessed, I have mentioned those minor ones which he did not possess; considering true history, in which all will be believed, as preferable to unqualified panegyric, in which nothing is believed. I avoided, too, the mention of trivial incidents, which, by not distinguishing, disparage a character; but I have not been able to state early dates. Before forwarding this paper to you, I received a letter from Peyton Randolph, his great nephew, repeating the request you had made. I therefore put the paper under a blank cover, addressed to you, unsealed, and sent it to Peyton Randolph, that he might see what dates as well as what incidents might be collected, supplementary to mine, and correct any which I had inexactly stated; circumstances may have been misremembered, but nothing, I think, of substance. This account of Peyton Randolph, therefore, you may expect to be forwarded by his nephew.

You requested me when here, to communicate to you the particulars of two transactions in which I was myself an agent, to wit: the *coup de main* of Arnold on Richmond, and Tarleton's on Charlottesville. I now enclose them, detailed with an exactness on which you may rely with an entire confidence. But, having an insuperable aversion to be drawn into controversy in the public papers, I must request not to be quoted either as to these or the account of Peyton Randolph. Accept the assurances of my esteem and respect.[1]

[1] BIOGRAPHICAL SKETCH OF PEYTON RANDOLPH.

Peyton Randolph was the eldest son of Sir John Randolph, of Virginia, a barrister-at-law, and an eminent practitioner at the bar of the General Court.

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TO JAMES MADISON.[1]

MONTICELLO Aug. 2. 16.

DEAR SIR,—Mrs. Randolph, Ellen & myself intended before this to have had the pleasure of seeing Mrs Madison and yourself at Montpelier as we mentioned to Mr Coles; but three days ago Mrs Randolph was taken with a fever, which has confined her to her bed ever since. It is so moderate that we are in the hourly hope of its leaving her and, after a little time to recruit her strength, of carrying her purpose into execution, which we shall lose no time in doing. In the meantime I salute Mrs Madison & yourself with unceasing affection & respect.

Peyton was educated at the College of William and Mary in Williamsburg, and thence went to England, and studied law at the Temple. At his return he intermarried with Elizabeth Harrison, sister of the afterwards Governor Harrison, entered into practice in the General Court, was afterwards appointed the King's Attorney-General for the colony, and became a representative in the House of Burgesses (then so called) for the city of Williamsburg.

Governor Dinwiddie having, about this period, introduced the exaction of a new fee on his signature of grants for lands, without the sanction of any law, the House of Burgesses remonstrated against it, and sent Peyton Randolph to England, as their agent, to oppose it before the king and council. The interest of the governor, as usual, prevailed against that of the colony, and his new exaction was confirmed by the king.

After Braddock's defeat on the Monongahela, in 1755, the incursions of the Indians on our frontiers spread panic and dismay through the whole country, insomuch that it was scarcely possible to procure men, either as regulars or militia, to go against them. To counteract this terror and to set a good example, a number of the wealthiest individuals of the colony, and the highest standing in it, in public as well as in their private relations, associated under obligations to furnish each of them two able-bodied men, at their own expense, to form themselves into a regiment under the denomination of the Virginia Blues, to join the colonial force on the frontier, and place themselves under its commander, George Washington, then a colonel. They appointed William Byrd, a member of the council, colonel of the regiment, and Peyton Randolph, I think, had also some command. But the original associators had more the will than the power of becoming effective soldiers. Born and bred in the lap of

[1] From the *Historical Magazine*, xiv., 247.

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TO WILLIAM WIRT.[1] J. MSS.

MONTICELLO, September 4, 1816.

DEAR SIR,—I have read, with great delight, the portion of the history of Mr. Henry which you have been so kind as to favour me with, and which is now returned. And I can say, from my own knowledge of the contemporary characters introduced into the canvas, that you have given them quite as much lustre as themselves would have asked. The exactness, too, of your details has, in several instances, corrected their errors in my own recollections, where they had begun to falter.

In result, I scarcely find anything needing revisal; yet, to show you that I have scrupulously sought oc-

wealth, all the habits of their lives were of ease, indolence, and indulgence. Such men were little fitted to sleep under tents, and often without them, to be exposed to all the intemperances of the seasons, to swim rivers, range the woods, climb mountains, wade morasses, to skulk behind trees, and contend as sharp-shooters with the savages of the wilderness, who, in all the scenes and exercises, would be in their natural element. Accordingly, the commander was more embarrassed with their care, than reinforced by their service. They had the good fortune to see no enemy, and to return at the end of the campaign rewarded by the favor of the public for this proof of their generous patriotism and good will.

When afterwards, in 1764, on the proposal of the Stamp Act, the House of Burgesses determined to send an address against it to the king, and memorials to the Houses of Lords and Commons, Peyton Randolph, George Wythe, and (I think) Robert C. Nicholas, were appointed to draw these papers. That to the king was by Peyton Randolph, and the memorial to the Commons was by George Wythe. It was on the ground of these papers that those gentlemen opposed the famous resolutions of Mr. Henry in 1765, to wit, that the principles of these resolutions had been asserted and maintained in the address and memorials of the year before, to which an answer was yet to be expected.

On the death of the speaker, Robinson, in 1766, Peyton Randolph was elected speaker. He resigned his office of Attorney-General, in which he was succeeded by his brother Randolph, father of the late Edmund Randolph, and retired from the bar. He now devoted himself solely to his duties as a legislator, and although sound in his principles, and going steadily with us in opposition to the British usurpations, he, with the other older members, yielded the

[1] From Kennedy's *Memoirs of W. Wirt*, i., 362.

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casions of animadversion, I will particularize the following passages, which I noted as I read them.

Page 11 : I think this passage had better be moderated. That Mr. Henry read Livy through once a year is a known impossibility with those who knew him. He may have read him once, and some general history of Greece; but certainly not twice. A first reading of a book he could accomplish sometimes and on some subjects, but never a second. He knew well the geography of his own country, but certainly never made any other a study. So, as to our ancient charters; he had probably read those in Stith's

lead to the younger, only tempering their ardor, and so far moderating their pace as to prevent their going too far in advance of the public sentiment.

On the establishment of a committee by the legislature, to correspond with the other colonies, he was named their chairman, and their first proposition to the other colonies was to appoint similar committees, who might consider the expediency of calling a general Congress of deputies in order to procure a harmony of procedure among the whole. This produced the call of the first Congress, to which he was chosen a delegate, by the House of Burgesses, and of which he was appointed, by that Congress, its president.

On the receipt of what was called Lord North's conciliatory proposition, in 1775, Lord Dunmore called the General Assembly, and laid it before them. Peyton Randolph quitted the chair of Congress, in which he was succeeded by Mr. Hancock, and repaired to that of the House which had deputed him. Anxious about the tone and spirit of the answer which should be given (because being the first it might have effect on those of the other colonies), and supposing that a younger pen would be more likely to come up to the feelings of the body he had left, he requested me to draw the answer, and steadily supported and carried it through the House, with a few softenings only from the more timid members.

After the adjournment of the House of Burgesses he returned to Congress, and died theee of an apoplexy, on the 22d of October following, aged, as I should conjecture, about fifty years.

He was indeed a most excellent man; and none was ever more beloved and respected by his friends. Somewhat cold and coy towards strangers, but of the sweetest affability when ripened into acquaintance. Of attic pleasantry in conversation, always good humored and conciliatory. With a sound and logical head, he was well read in the law; and his opinions, when consulted, were highly regarded, presenting always a learned and sound view of the subject,

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history; but no man ever more undervalued chartered titles than himself. He drew all natural rights from a purer source—the feelings of his own breast. * * *

He never, in conversation or debate, mentioned a hero, a worthy, or a fact in Greek or Roman history, but so vaguely and loosely as to leave room to back out, if he found he had blundered.

The study and learning ascribed to him, in this passage, would be inconsistent with the excellent and just picture given of his indolence through the rest of the work.

Page 33, line 4: Inquire further into the fact alleged that Henry was counsel for Littlepage. I am much persuaded he was counsel for Dandridge. There was great personal antipathy between him and Littlepage, and the closest intimacy with Dandridge, who was his near neighbor, in whose house he was at home as one of the family, who was his earliest and greatest admirer and patron, and whose daughter became, afterwards, his second wife.

but generally, too, a listlessness to go into its thorough development; for being heavy and inert in body, he was rather too indolent and careless for business, which occasioned him to get a smaller proportion of it at the bar than his abilities would otherwise have commanded. Indeed, after his appointment as Attorney-General, he did not seem to court, nor scarcely to welcome, business. In that office he considered himself equally charged with the rights of the colony as with those of the crown; and in criminal prosecutions, exaggerating nothing, he aimed at a candid and just state of the transaction, believing it more a duty to save an innocent than to convict a guilty man. Although not eloquent, his matter was so substantial that no man commanded more attention, which, joined with a sense of his great worth, gave him a weight in the House of Burgesses which few ever attained. He was liberal in his expenses but correct also, so as not to be involved in pecuniary embarrassments; and with a heart always open to the amiable sensibilities of our nature, he did as many good acts as could have been done with his fortune, without injuriously impairing his means of continuing them. He left no issue, and gave his fortune to his widow and nephew, the late Edmund Randolph.

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It was in his house that, during a course of Christmas festivities, I first became acquainted with Mr. Henry. This, it is true, is but presumptive evidence, and may be overruled by direct proof. But I am confident he could never have undertaken any case against Dandridge; considering the union of their bosoms, it would have been a great crime.[1] * * *

[1] Jefferson further wrote to Wirt concerning his *Life of Patrick Henry*:

POPLAR FOREST, November 12, 1816.

DEAR SIR,—Yours of October 23d, was received here on the 31st, with the latest sheets of your work.

They found me engaged in a business which could not be postponed, and have therefore been detained longer than I wished.

On the subject of our ancient aristocracy, I believe I have said nothing which all who knew them will not confirm, and which their reasonable descendants may not learn from every quarter. It was the effect of the large accumulation of property under the law of entails.

The suppression of entails reduced the spirit of the rich, while the increased influence given by the new government to the people, raised theirs, and brought things to their present level, from a condition which the present generation, who have not seen it, can scarcely believe or conceive.

You ask if I think your work would be the better of retrenchment? By no means. I have seen nothing in it which could be retrenched but to disadvantage. And again, whether, as a friend, I would advise its publication? On that question, I have no hesitation on your account, as well as that of the public. To the latter, it will be valuable; and honourable to yourself.

You must expect to be criticised; and, by a former letter I see you expect it. By the Quarterly Reviewers you will be hacked and hewed, with tomahawk and scalping-knife. Those of Edinburgh, with the same anti-American prejudices, but sometimes considering us as allies against their administration, will do it more decently.

They will assume, as a model for biography, the familiar manner of Plutarch, or scanty manner of Nepos, and try you, perhaps, by these tests. But they can only prove that your style is different from theirs; not that it is not good.

I have always very much dispised the artificial canons of criticism. When I have read a work in prose or poetry, or seen a painting, a statue, etc., I have only asked myself whether it gives me pleasure, whether it is animating, interesting, attaching? If it is, it is good for these reasons. On these grounds you will be safe. Those who take up your book, will find they cannot lay it down, and this will be its best criticism.

You have certainly practised vigorously the precept of "de mortuis nil nisi

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TO ALBERT GALLATIN. J. MSS.

MONTICELLO, September 8, 1816.

DEAR SIR,—The jealousy of the European governments rendering it unsafe to pass letters through their postoffices, I am obliged to borrow the protection of your cover to procure a safe passage for the enclosed letter to Madame de Staël, and to ask the

bonum." This presents a very difficult question,—whether one only or both sides of the medal shall be presented. It constitutes, perhaps, the distinction between panegyric and history. On this, opinions are much divided—and, perhaps, may be so on this feature of your work. On the whole, however, you have nothing to fear; at least if my views are not very different from the common. And no one will see its appearance with more pleasure than myself, as no one can, with more truth, give you assurances of great respect and affectionate attachment.

POPLAR FOREST. Sep. 29, 16.

DEAR SIR,—I found, on my arrival here the 2d parcel of your sheets, which I have read with the same avidity and pleasure as the former. This proves they will experience no delay in my hands, and that I consider them as worthy everything I can do for them. They need indeed but little, or rather I should say nothing. I have however hazarded some suggestions on a paper inclosed. When I read the former sheets, I did not consider the article of style as within my jurisdiction. However since you ask observations on that, and suggest doubts entertained by yourself on a particular quality of it, I will candidly say that I think some passages of the former sheets too flowery for the sober taste of history. It will please young readers in it's present form, but to the older it would give more pleasure and confidence to have some exuberances lightly pruned. I say lightly, because your style is naturally rich and captivating, and would suffer if submitted to the rasp of a rude hand. A few excrescences may be rubbed off by a delicate touch; but better too little than too much correction. In the 2d parcel of sheets, altho' read with an eye to your request, I have found nothing of this kind. I thus comply with your desire; but on the condition originally prescribed, that you shall consider my observations as mere suggestions, meant to recall the subject to a revision by yourself, and that no change be made in consequence of them but on the confirmed dictates of your own judgement. I have no amour-propre which will suffer by having hazarded a false criticism. On the contrary I should regret were the genuine character of your composition to be adulterated by any foreign ingredient. I return to Albermarle within a week. Shall stay there 10. days, come back and pass here October and part of November. I salute you affectionately.

MONTICELLO, Oct. 8, 16.

DEAR SIR,—I received your 3d parcel of sheets just as I was leaving Poplar

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favor of you to have it delivered at the hotel of M. de Lessert without passing through the post-office.

In your answer of June 7 to mine of May 18, you mentioned that you did not understand to what proceeding of Congress I alluded as likely to produce a removal of most of the members, and that by a spontaneous movement of the people, unsuggested by the newspapers, which had been silent on it. I alluded

Forest, and have read them with the usual pleasure. They relate however to the period of time exactly, during which I was absent in Europe. Consequently I am without knolege of the facts they state. Indeed they are mostly new history to me.

On the subject of style they are not liable to the doubts I hazarded on the 1st parcel, unless a short passage in page 198, should be thought too poetical. Indeed as I read the 2d & 3d parcels with attentions to style and found them not subject to the observations I made on the first, (which were from memory only, & after I had parted with them) I have suspected that a revisal might have corrected my opinion on the 1st. Of this however you will judge. One only fact in the last sheets was within my knolege, that relating to Philips, and on this I had formerly given you explanations. I am very glad indeed that you have examined the records, and established truth in this case. How Mr. Randolph could indulge himself in a statement of facts, so solemnly made, the falsehood of every article of which *had been* known to himself particularly; and how Mr. Henry could be silent under such a perversion of facts known to himself, agreed on at a consultation with members whom he invited to the palace to advise with on the occasion, and done at his request according to what was concluded, is perfectly unaccountable. Not that I consider Mr. Randolph as misstating intentionally, or desiring to boulster an argument at the expence of an absent person: for there were no unsocial dispositions between him & myself; and as little do I impute to Mr. Henry any willingness to leave on my shoulders a charge which he could so easily have disproved. The fact must have been that they were both out of their heads on that occasion. Still not the less injuriously to me, whom Mr. Randolph might as well have named, as the journals shewed I was the first named of the Committee. Would it be out of place for you to refer by a note to the countenance which Judge Tucker has given to this misrepresentation, by making strictures on it, in his Blackstone, as if it were true? It is such a calumny on our revolutionary government as should be eradicated from history, and especially from that of this state, which justly prides itself on having gone thro' the revolution without a single example of capital punishment connected with that. Ever affectionately yours.

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to the law giving themselves 1500 D. a year. There has never been an instant before of so unanimous an opinion of the people, and that through every State in the Union. A very few members of the first order of merit in the House will be re-elected, Clay, of Kentucky, by a small majority, and a few others. But the almost entire mass will go out, not only those who supported the law or voted for it, or skulked from the vote, but those who voted against it or opposed it actively, if they took the money; and the examples of refusals to take it were very few. The next Congress, then, Federal as well as Republican, will be almost wholly of new members.

We have had the most extraordinary year of drought and cold ever known in the history of America. In June, instead of $3\frac{8}{4}$ inches, our average of rain for that month, we only had $\frac{1}{3}$ of an inch; in August, instead of $9\frac{1}{6}$ inches our average, we had only $\frac{8}{10}$ of an inch; and still it continues. The summer, too, has been as cold as a moderate winter. In every State north of this there has been frost in every month of the year; in this State we had none in June and July, but those of August killed much corn over the mountains. The crop of corn through the Atlantic States will probably be less than one-third of an ordinary one, that of tobacco still less, and of mean quality. The crop of wheat was middling in quantity, but excellent in quality. But every species of bread grain taken together will not be sufficient for the subsistence of the inhabitants, and the exportation of flour, already begun by the indebted and the improvident, to whatsoever degree it may be carried, will be

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exactly so much taken from the mouths of our own citizens. My anxieties on this subject are the greater, because I remember the deaths which the drought of 1755 in Virginia produced from the want of food.

There are not to be the smallest opposition to the election of Monroe and Tompkins, the Republicans being undivided and the Federalists desperate. The Hartford Convention and peace of Ghent have nearly annihilated them.

Our State is becoming clamorous for a convention and amendment for their constitution, and I believe will obtain it. It was the first constitution formed in the United States, and of course the most imperfect. The other States improved in theirs in proportion as new precedents were added, and most of them have since amended. We have entered on a liberal plan of internal improvements, and the universal approbation of it will encourage and insure its prosecution. I recollect nothing else domestic worth noting to you, and therefore place here my respectful and affectionate salutations.

TO THE SECRETARY OF STATE. J. MSS.
(JAMES MONROE.)

MONTICELLO, October 16, 1816.

DEAR SIR,—If it be proposed to place an inscription on the capitol, the lapidary style requires that essential facts only should be stated, and these with a brevity admitting no superfluous word. The essential facts in the two inscriptions proposed are these:

FOUNDED 1791.—BURNT BY A BRITISH ARMY 1814.—RESTORED BY CONGRESS 1817.

The reasons for this brevity are that the letters must be of extraordinary magnitude to be read from below; that little space is

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allowed them, being usually put into a pediment or in a frize, or on a small tablet on the wall; and in our case, a third reason may be added, that no passion can be imputed to this inscription, every word being justifiable from the most classical examples.

But a question of more importance is whether there should be one at all? The barbarism of the conflagration will immortalize that of the nation. It will place them forever in degraded comparison with the execrated Bonaparte, who, in possession of almost every capitol in Europe, injured no one. Of this, history will take care, which all will read, while our inscription will be seen by few. Great Britain, in her pride and ascendency, has certainly hated and despised us beyond every earthly object. Her hatred may remain, but the hour of her contempt is passed and is succeeded by dread; not at present, but a distant and deep one. It is the greater as she feels herself plunged into an abyss of ruin from which no human means point out an issue. We also have more reason to hate her than any nation on earth. But she is not now an object for hatred. She is falling from her transcendant sphere, which all men ought to have wished, but not that she should lose all place among nations. It is for the interest of all that she should be maintained, *nearly* on a par with other members of the republic of nations. Her power, absorbed into that of any other, would be an object of dread to all, and to us more than all, because we are accessible to her alone and through her alone. The armies of Bonaparte with the fleets of Britain, would change the aspect of our destinies. Under these prospects should we perpetuate hatred against her? Should we not, on the contrary, begin to open ourselves to other and more rational dispositions? It is not improbable that the circumstances of the war and her own circumstances may have brought her wise men to begin to view us with other and even with kindred eyes. Should not our wise men, then, lifted above the passions of the ordinary citizen, begin to contemplate what *will be* the interests of our country on so important a change among the elements which influence it? I think it would be better to give her time to show her present temper, and to prepare the minds of our citizens for a corresponding change of disposition, by acts of comity towards England rather than by commemoration of hatred.

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These views might be greatly extended. Perhaps, however, they are premature, and that I may see the ruin of England nearer than it really is. This will be matter of consideration with those to whose councils we have committed ourselves, and whose wisdom, I am sure, will conclude on what is best. Perhaps they may let it go off on the single and short consideration that the thing can do no good, and may do harm. Ever and affectionately yours.

TO MATHEW CAREY.

POPLAR FOREST NEAR LYNCHBURG, Nov. 11, 16.

DEAR SIR,—I received here (where I pass a good deal of my time) your favor of Oct. 22. covering a Prospectus of a new edition of your Olive branch. I subscribe to it with pleasure, because I believe it has done and will do much good, in holding up the mirror to both parties, and exhibiting to both their political errors. That I have had my share of them, I am not vain enough to doubt, and some indeed I have recognized. There is one however which I do not, altho' charged to my account, in your book, and as that is the subject of this letter, & I have my pen in my hand, I will say a very few words on it. It is my rejection of a British treaty without laying it before the Senate. It has never, I believe, been denied that the President may reject a treaty after it's ratification has been advised by the Senate, then certainly he may before that advice: and if he has made up his mind to reject it, it is more respectful to the Senate to do it without, than against their advice. It must not be said that their advice may cast new light on it. Their advice is a bald resolution of yea or nay, without assigning a single reason or motive.

You ask if I mean to publish anything on the subject of a letter of mine to my friend Charles Thompson? Certainly not. I write nothing for publication, and last of all things should it be on the subject of religion. On the dogmas of religion as distinguished from moral principles, all mankind, from the beginning of the world to this day, have been quarrelling, fighting, burning and torturing one another, for abstractions unintelligible

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to themselves and to all others, and absolutely beyond the comprehension of the human mind. Were I to enter on that arena, I should only add an unit to the number of Bedlamites. Accept the assurance of my great esteem and respect.

TO GEORGE LOGAN. J. MSS.

POPLAR FOREST NEAR LYNCHBURG, Nov. 12, 16.

DEAR SIR,—I received your favor of Oct. 16, at this place, where I pass much of my time, very distant from Monticello. I am quite astonished at the idea which seems to have got abroad; that I propose publishing something on the subject of religion, and this is said to have arisen from a letter of mine to my friend Charles Thompson, in which certainly there is no trace of such an idea. When we see religion split into so many thousand of sects, and I may say Christianity itself divided into it's thousands also, who are disputing, anathematizing and where the laws permit burning and torturing one another for abstractions which no one of them understand, and which are indeed beyond the comprehension of the human mind, into which of the chambers of this Bedlam would a [*torn*] man wish to thrust himself. The sum of all religion as expressed by it's best preacher, 'fear god and love thy neighbor' contains no mystery, needs no explanation. But this wont do. It gives no scope to make dupes; priests could not live by it. Your idea of the moral obligations of governments are perfectly correct. The man who is dishonest as a statesman would be a dishonest man in any station. It is strangely absurd to suppose that a million of human beings collected together are not under the same moral laws which bind each of them separately. It is a great consolation to me that our government, as it cherishes most it's duties to its own citizens, so is it the most exact in it's moral conduct towards other nations. I do not believe that in the four administrations which have taken place, there has been a single instance of departure from good faith towards other nations. We may sometimes have mistaken our rights, or made an erroneous estimate of the actions of others, but no voluntary wrong can be imputed to us.

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In this respect England exhibits the most remarkable phaenomenon in the universe in the contrast between the profligacy of it's government and the probity of it's citizens. And accordingly it is now exhibiting an example of the truth of the maxim that virtue & interest are inseparable. It ends, as might have been expected, in the ruin of it's people, but this ruin will fall heaviest, as it ought to fall on that hereditary aristocracy which has for generations been preparing the catastrophe. I hope we shall take warning from the example and crush in it's birth the aristocracy of our monied corporations which dare already to challenge our government to a trial of strength and bid defiance to the laws of our country. Present me respectfully to Mrs. Logan and accept yourself my friendly and respectful salutations.

TO MRS. JOHN ADAMS. J. MSS.

MONTICELLO, January 11, 1817.

I owe you, dear Madam, a thousand thanks for the letters communicated in your favor of December 15th, and now returned. They give me more information than I possessed before, of the family of Mr. Tracy. But what is infinitely interesting, is the scene of the exchange of Louis XVIII. for Bonaparte. What lessons of wisdom Mr. Adams must have read in that short space of time! More than fall to the lot of others in the course of a long life. Man, and the man of Paris, under those circumstances, must have been a subject of profound speculation! It would be a singular addition to that spectacle, to see the same beast in the cage of St. Helena, like a lion in the tower. That is probably the closing verse of the chapter of his crimes. But not so with Louis. He has other vicissitudes to go through.

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I communicated the letters, according to your permission, to my grand-daughter, Ellen Randolph, who read them with pleasure and edification. She is justly sensible of, and flattered by your kind notice of her; and additionally so, by the favorable recollections of our northern visiting friends. If Monticello has anything which has merited their remembrance, it gives it a value the more in our estimation; and could I, in the spirit of your wish, count backwards a score of years, it would not be long before Ellen and myself would pay our homage personally to Quincy. But those twenty years! Alas! where are they? With those beyond the flood. Our next meeting must then be in the country to which they have flown,—a country for us not now very distant. For this journey we shall need neither gold nor silver in our purse, nor scrip, nor coats, nor staves. Nor is the provision for it more easy than the preparation has been kind. Nothing proves more than this, that the Being who presides over the world is essentially benevolent. Stealing from us, one by one, the faculties of enjoyment, searing our sensibilities, leading us, like the horse in his mill, round and round the same beaten circle,

> ——To see what we have seen,
> To taste the tasted, and at each return
> Less tasteful; o'er our palates to decant
> Another vintage—

Until satiated and fatigued with this leaden iteration, we ask our own *congé*. I heard once a very old friend, who had troubled himself with neither poets

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nor philosophers, say the same thing in plain prose, that he was tired of pulling off his shoes and stockings at night, and putting them on again in the morning. The wish to stay here is thus gradually extinguished; but not so easily that of returning, once in awhile, to see how things have gone on. Perhaps, however, one of the elements of future felicity is to be a constant and unimpassioned view of what is passing here. If so, this may well supply the wish of occasional visits. Mercier has given us a vision of the year 2440; but prophecy is one thing, and history another. On the whole, however, perhaps it is wise and well to be contented with the good things which the master of the feast places before us, and to be thankful for what we have, rather than thoughtful about what we have not. You and I, dear Madam, have already had more than an ordinary portion of life, and more, too, of health than the general measure. On this score I owe boundless thankfulness. Your health was, some time ago, not so good as it has been; and I perceive in the letters communicated, some complaints still. I hope it is restored; and that life and health may be continued to you as many years as yourself shall wish, is the sincere prayer of your affectionate and respectful friend.

TO JOHN ADAMS. J. MSS.

MONTICELLO, January 11, 1817.

DEAR SIR,—Forty-three volumes read in one year, and twelve of them quarto! Dear Sir, how I envy you! Half a dozen oc-

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tavos in that space of time, are as much as I am allowed. I can read by candlelight only, and stealing long hours from my rest; nor would that time be indulged to me, could I by that light see to write. From sunrise to one or two o'clock, and often from dinner to dark, I am drudging at the writing table. And all this to answer letters into which neither interest nor inclination on my part enters; and often from persons whose names I have never before heard. Yet, writing civilly, it is hard to refuse them civil answers. This is the burthen of my life, a very grievous one indeed, and one which I must get rid of. Delaplaine lately requested me to give him a line on the subject of his book; meaning, as I well knew, to publish it. This I constantly refuse; but in this instance yielded, that in saying a word for him, I might say two for myself. I expressed in it freely my sufferings from this source; hoping it would have the effect of an indirect appeal to the discretion of those, strangers and others, who, in the most friendly dispositions, oppress me with their concerns, their pursuits, their projects, inventions and speculations, political, moral, religious, mechanical, mathematical, historical, &c., &c., &c. I hope the appeal will bring me relief, and that I shall be left to exercise and enjoy correspondence with the friends I love, and on subjects which they, or my own inclinations present. In that case, your letters shall not be so long on my files unanswered, as sometimes they have been, to my great mortification.

To advert now to the subjects of those of December the 12th and 16th. Tracy's Commentaries on Montesquieu have never been published in the original. Duane printed a translation from the original manuscript a few years ago. It sold, I believe, readily, and whether a copy can now be had, I doubt. If it can, you will receive it from my bookseller in Philadelphia, to whom I now write for that purpose. Tracy comprehends, under the word "Ideology," all the subjects which the French term *Morale*, as the correlative to *Physique*. His works on Logic, Government, Political Economy and Morality, he considers as making up the circle of ideological subjects, or of those which are within the scope of the understanding, and not of the senses. His Logic occupies exactly the ground of Locke's work on the Un-

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derstanding. The translation of that on Political Economy is now printing; but it is no translation of mine. I have only had the correction of it, which was, indeed, very laborious. *Le premier jet* having been by some one who understood neither French nor English, it was impossible to make it more than faithful. But it is a valuable work.

The result of your fifty or sixty years of religious reading, in the four words, "Be just and good," is that in which all our inquiries must end; as the riddles of all the priesthoods end in four more, "*ubi panis, ibi deus.*" What all agree in, is probably right. What no two agree in, most probably wrong. One of our fancoloring biographers, who paints small men as very great, inquired of me lately, with real affection too, whether he might consider as authentic, the change of my religion much spoken of in some circles. Now this supposed that they knew what had been my religion before, taking for it the word of their priests, whom I certainly never made the confidants of my creed. My answer was, "say nothing of my religion. It is known to my God and myself alone. Its evidence before the world is to be sought in my life; if that has been *honest and dutiful* to society, the religion which has regulated it cannot be a bad one." Affectionately adieu.

TO WILLIAM SAMPSON. J. MSS.

MONTICELLO, Jan. 26, 17.

DEAR SIR,—I have read with great satisfaction the eloquent pamphlet you were so kind as to send me, and sympathise with every line of it. I was once a doubter whether the labor of the Cultivator, aided by the creative powers of the earth itself, would not produce more value than that of the manufacturer, alone and unassisted by the dead subject on which he acted? In other words, whether the more we could bring into action of the energies of our boundless territory, in addition to the labor of our citizens, the more would not be our gain? But the inventions of latter times, by labor-saving machines, do as much now for the manufacturer, as the earth for the cultivator. Experience too has proved that mine was but half the question. The other half is

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whether Dollars & cents are to be weighed in the scale against real independence? The whole question then is solved; at least so far as respects our wants.

I much fear the effect on our infant establishments, of the policy avowed by Mr. Brougham, and quoted in the pamphlet. Individual British merchants may lose by the late immense importations; but British commerce & manufactures, in the mass, will gain by beating down the competition of ours, in our own markets against this policy, our protecting duties are as nothing, our patriotism less. I turn, however, with some confidence to a different auxiliary, a revolution in England, now, I believe unavoidable. The crisis so long expected, inevitable as death, altho' uncertain like that in it's date, is at length arrived. Their government has acted over again the fable of the frog and the ox; and their bloated system has burst. They have spent the fee simple of the island in their inflated enterprises on the peace and happiness of the rest of mankind. Their debts have consequently accumulated by their follies & frauds, until the interest is equal to the aggregate rents of all the farms in their country. All these rents must go to pay interest, and nothing remains to carry on the government. The possession alone of their lands is now in the nominal owner; the usufruct in the public creditors. Their people too taxed up to 14. or 15. out of 16. hours of daily labor, dying of hunger in the streets & fields. The survivors can see for themselves the alternative only of following them or of abolishing their present government of kings, lords, & borough-commons, and establishing one in some other form, which will let them live in peace with the world. It is not easy to foresee the details of such a revolution, but I should not wonder to see the deportation of their king to Indostan, and of their Prince Regent to Botany Bay. There, imbecility might be governed by imbecility, and vice by vice; all in suit. Our wish for the good of the people of England, as well as for our own peace, should be that they may be able to form for themselves such a constitution & government as may permit them to enjoy the fruits of their own labors in peace, instead of squandering them in fomenting and paying the wars of the world. But during these struggles, their artists are to become soldiers. Their manufactures to cease, their com-

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merce sink and our intercourse with them be suspended. This interval of suspension may revive and fix our manufactures, wean us from British aperies, and give us a national & independent character of our own. I cannot say that all this will be, but that it may be; and it ought to be supplicated from heaven by the prayers of the whole world that at length there may be 'on earth peace, and good will towards men.' No country, more than your native one, ought to pray & be prepared for this. I wish them success, and to yourself health and prosperity.

TO CHARLES THOMSON.[1] J. MSS.

MONTICELLO, Janry. 29, 1817.

MY VERY DEAR & ANTIENT FRIEND,—I learnt from your last letter, with much affliction, the severe and singular attack, your health has lately sustained, but its equally singular and sudden restoration confirms my confidence in the strength of your constitution of body and mind and my conclusions that neither has received hurt, and that you are still ours for a long time to come. We have both much to be thankful for in the soundness of our physical organization, and something for self approbation in the order and regularity of life by which it has been preserved. Your preceding letter had given me no cause to doubt the continued strength of your mind, and were it not that I am always peculiarly gratified by hearing from you, I should regret you had thought the incident with Mr. Delaplaine worth an explanation. He wrote me on the subject of my letter to you of Janry. 9, 1816, and asked me questions which I answer only to one Being. To himself, therefore, I replied: "Say nothing of my Religion: it is known

[1] From Collections of the N. Y. Historical Society, p. 267.

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to my God and myself alone; its evidence before the world is to be sought in my life; if that has been honest and dutiful to society the Religion which has regulated it cannot be a bad one." It is a singular anxiety which some people have that we should all think alike. Would the world be more beautiful were all our faces alike? were our tempers, our talents, our tastes, our forms, our wishes, aversions and pursuits cast exactly in the same mould? If no varieties existed in the animal, vegetable or mineral creation, but all move strictly uniform, catholic & orthodox, what a world of physical and moral monotony would it be! These are the absurdities into which those run who usurp the throne of God and dictate to Him what He should have done. May they with all their metaphysical riddles appear before that tribunal with as clean hands and hearts as you and I shall. There, suspended in the scales of eternal justice, faith and works will show their worth by their weight. God bless you and preserve you long in life & health.

TO DOCTOR THOMAS HUMPHREYS. J. MSS.

MONTICELLO, February 8, 1817.

DEAR SIR,—Your favor of January 2d did not come to my hands until the 5th instant. I concur entirely in your leading principles of gradual emancipation, of establishment on the coast of Africa, and the patronage of our nation until the emigrants shall be able to protect themselves. The subordinate details might be easily arranged. But the bare proposition of purchase by the United States generally, would excite infinite indignation in all the States north of Maryland. The sacrifice must fall on the States alone which hold them; and the difficult question will

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be how to lessen this so as to reconcile our fellow citizens to it. Personally I am ready and desirous to make any sacrifice which shall ensure their gradual but complete retirement from the State, and effectually, at the same time, establish them elsewhere in freedom and safety. But I have not perceived the growth of this disposition in the rising generation, of which I once had sanguine hopes. No symptoms inform me that it will take place in my day. I leave it, therefore, to time, and not at all without hope that the day will come, equally desirable and welcome to us as to them. Perhaps the proposition now on the carpet at Washington to provide an establishment on the coast of Africa for voluntary emigrations of people of color, may be the corner stone of this future edifice. Praying for its completion as early as may most promote the good of all, I salute you with great esteem and respect.

TO FRANCIS A. VAN DER KEMP. J. MSS.

MONTICELLO, Mar. 16. 17.

DEAR SIR,—I learn with real concern that the editor of the Theological Repository possesses the name of the author of the Syllabus, altho he coyly withholds it for the present, he will need but a little coaxing to give it out and to let lose upon him the genus irretabile vatum, there and here. Be it so. I shall receive with folded arms all their hacking & hewing. I shall not ask their passport to a country, which they claim indeed as theirs but which was made, I trust, for moral man, and not for dogmatising venal jugglers. Should they however, instead of abuse, appeal to the tribunal of reason and fact, I shall really be glad to see on what point they will begin their attack. For it expressly excludes all questions of supernatural character or endowment. I am in hopes it may find advocates as well as opposers, and produce for us a temperate & full development. As to myself I shall be a silent Auditor.

Mr. Adams's book on Feudal law, mentioned in your letter of Feb: 2. I possessed, and it is now in the library at Washington which I ceded to Congress. In the same letter you ask if I can explain the phrase 'il est digne de porter le ruban gris de lin.' I

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do not know that I can. gris de lin is the French designation of the colour which the English call grizzle. The ruban gris de lin may be the badge of some association, unknown, I acknowledge to me, but to which the author from whom you quote it may have some allusion. I shall be happy to learn that you pursue your purpose as to the life of the great reformer, and more so in seeing it accomplished. I return the Repository with thanks for the opportunity of seeing it, and I pray you accept my friendly and respectful salutations.[1]

[1] Jefferson further wrote to Van der Kemp :

MONTICELLO, May 1. 17.

DEAR SIR,—I thank you for your letter of Mar. 30/ My mind is entirely relieved by your assurance that my name did not cross the Atlantic in connection with the Syllabus. The suggestion then of the Editor of the Theological Repository was like those of our newspaper editors who pretend they know every thing, but in discretion will not tell us, while we see that they give us all they know and a great deal more. I am now at the age of quietism, and wish not to be kicked by the asses of hierophantism. I hope you will find time to take up this subject. There are some new publications in Germany which would greatly aid it, to wit,

Augusti's translation & commentary on the 7. Catholic epistles, in which he has thrown great light on the opinions of the primitive Christians & on the innovations of St. Paul, printed at Lemgo 1808. 2. vols. 8vo.

Palmer's Paul and Gamaliel. Giessen. 1806.

Munter's history of dogmas. Gottingen. 1806. shewing the formation of the dogmatical system of Christianity.

Augusti's Manual of the history of Christian dogmas. Leipsic 1805.

Marteinacke's Manual of Ecclesiastical history. Erlangen 1806. developing the simple ideas of the first Christians, and the causes & progress of the subsequent changes.

I have not written for these books, because I suppose they are in German which I do not read ; but I expect they are profoundly learned on their subjects.

In answer to your inquiries respecting Rienzi, the best account I have met with of this poor counterfeit of the Gracchi, who seems to have had enthusiasm & eloquence, without either wisdom or firmness, is the 5th & 6th vols. of Sigismondi. He quotes for his authority chiefly the Frammenti de Storia Romana d'anonimo contemporaneo. Of the monk Borselaro I know nothing, and my books are all gone to where they will be more useful, & my memory waning under the hand of time. I think Bekker might have demanded a truce from his antagonists on the question of a Hall, by desiring them first to fix it's geography. But wherever it be, it is certainly the best patrimony of the church, and procures them in exchange the solid acres of this world. I salute you with entire esteem & respect.

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TO TRISTAM DALTON.[1] J. MSS.

MONTICELLO, May 2, '17.

DEAR SIR,—I am indebted to you for your favor of Apr. 22, and for the copy of the Agricultural magazine it covered, which is indeed a very useful work. While I was an amateur in Agricultural science (for practical knolege my course of life never permitted me) I was very partial to the drilled husbandry of Tull, and thought still better of it when reformed by Young to 12 rows. But I had not time to try it while young, and now grown old I have not the requisite activity either of body or mind.

With respect to field culture of vegetables for cattle, instead of the carrot and potato recommended by yourself and the magazine, & the best of others, we find the Jerusalem artichoke best for winter, & the Succory for Summer use. This last was brought over from France to England by Arthur Young, as you will see in his travels thro' France, & some of the seed sent by him to Genl. Washington, who spared me a part of it. It is as productive as the Lucerne, without its laborious culture, & indeed without any culture except the keeping it clean the first year. The Jerusalem artichoke far exceeds the potato in produce, and remains in the ground thro' the winter to be dug as wanted. A method of ploughing over hill sides horizontally, introduced into the most hilly part of our country by Colo. T. M. Randolph, my son in law, may be worth mentioning to you. He has practised it a dozen or 15 years, and it's advantages were so immediately observed that it has already become very general, and has entirely changed and renovated the face of our country. Every rain, before that, while it gave a temporary refreshment, did permanent evil by carrying off our soil: and fields were no sooner cleared than wasted. At present we may say that we lose none of our soil, the rain not absorbed in the moment of it's fall being retained in the hollows between the beds until it can be absorbed. Our practice is when we first enter on this process, with a rafter level of 10 f. span, to lay off guide lines conducted horizontally around the hill or valley from one end to the other of the field, and about 30 yards apart.

[1] From a copy courteously furnished by Mr. Chester A. Stoddard, of Boston, Mass.

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The steps of the level on the ground are marked by a stroke of a hoe, and immediately followed by a plough to preserve the trace. A man or a lad, with the level, and two small boys, the one with sticks, the other with the hoe, will do an acre of this in an hour, and when once done it is forever done. We generally level a field the year it is put into Indian corn laying it into beds of 6 ft. wide, with a large water furrow between the beds, until all the fields have been once leveled. The intermediate furrows are run by the eye of the ploughman governed by these guide lines, & occasion gores which are thrown into short beds. As in ploughing very steep hill sides horizontally the common ploughman can scarcely throw the furrow uphill, Colo. Randolph has contrived a very simple alteration of the share, which throws the furrow down hill both going and coming. It is as if two shares were welded together at their straight side, and at a right angle with each other. This turns on it's bar as on a pivot, so as to lay either share horizontal, when the other becoming verticle acts as a mould board. This is done by the ploughman in an instant by a single motion of the hand, at the end of every furrow. I enclose a bit of paper cut into the form of the double share, which being opened at the fold to a right angle, will give an idea of it's general principle. Horizontal and deep ploughing, with the use of plaister and clover, which are but beginning to be used here will, as we believe, restore this part of our country to it's original fertility, which was exceeded by no upland in the state. Believing that some of these things might be acceptable to you I have hazarded them as testimonials of my great esteem & respect.

TO GEORGE TICKNOR. J. MSS.

MONTICELLO [May ? 1817.]

DEAR SIR,— * * *

I suppose that your friends of Boston furnish you with our domestic news. Improvement is now the general word with us. Canals, roads, education occupy principal attention. A bill which had passed both houses of Congress for beginning these works, was negatived by the President, on constitutional, and I believe,

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sound grounds; that instrument not having placed this among the enumerated objects to which they are authorized to apply the public contributions. He recommended an application to the states for an extension of their powers to this object, which will I believe be unanimously conceded, & will be a better way of obtaining the end, than by strained constructions, which would loosen all the bands of the constitution. In the mean time the states separately are going on with this work. New York is undertaking the most gigantic enterprise of uniting the waters of L. Erie and the Hudson; Jersey those of the Delaware & Raritan. This state proposes several such works; but most particularly has applied itself to establishments for education, by taking up the plan I proposed to them 40. years ago, which you will see explained in the Notes on Virginia. They have provided for this special object an ample fund, and a growing one. They propose an elementary school in every ward or township, for reading, writing and common arithmetic; a college in every district, suppose of 80. or 100. miles square, for laying the foundations of the sciences in general, to wit, languages, geography & the higher branches of Arithmetic; and a single University embracing every science deemed useful in the present state of the world. This last may very possibly be placed near Charlottesville, which you know is under view from Monticello.

Amid these enlarged measures, the papers tell us of one by the legislature of New York, so much in the opposite direction that it would puzzle us to say in what, the darkest age of the history of bigotry and barbarism, we should find an apt place for it. *It is said* they have declared by law that all those who hereafter shall join in communion with the religious sect of Shaking quakers, shall be deemed civilly dead, their marriage vows dissolved, and all their children and property taken from them; without any provision for rehabilitation in case of resipiscence. To prove that this departure from the spirit of our institutions is local and I hope merely momentary, Pennsylvania about the same time, rejected a proposition to make the belief in a god a necessary qualification for office, altho' I presume there was not an Atheist in their body: and I dare say you have heard that when the law for freedom of religion was before the Virginia legislature in which

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the phrase 'the author of our holy religion' happened to be they rejected a proposition to prefix to it the name of 'Jesus Christ,' altho certainly a great majority of them considered him as such. Yet they would not undertake to say that for every one. The New York law is so recent that nothing has yet been said about it, & I do imagine if it has been past, their next legislature will repeal it, and make an amende honorable to the general spirit of their confederates. Nothing having yet appeared but the naked act, without signature, or a word of the history of it's passage, there is room to hope it has been merely an abortive attempt.

Of the Volcanic state of Europe I know little, and will say nothing, and add to the length of this, for myself & the individuals of my family, who remember you with particular friendship, the assurances of the highest esteem and respect.

June 6. 1817. P. S. the preceding written some time ago, is now only despatched.

TO MARQUIS DE LA FAYETTE. J. MSS.

MONTICELLO, May 14, 1817.

Although, dear Sir, much retired from the world, and meddling little in its concerns, yet I think it almost a religious duty to salute at times my old friends, were it only to say and to know that "all's well." Our hobby has been politics; but all here is so quiet, and with you so desperate, that little matter is furnished us for active attention. With you too, it has long been forbidden ground, and therefore imprudent for a foreign friend to tread, in writing to you. But although our speculations might be intrusive, our prayers cannot but be acceptable, and mine are sincerely offered for the well-being of France. What government she can bear, depends not on the state of science, however exalted, in a select band of en-

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lightened men, but on the condition of the general mind. That, I am sure, is advanced and will advance; and the last change of government was fortunate, inasmuch as the new will be less obstructive to the effects of that advancement. For I consider your foreign military oppressions as an ephemeral obstacle only.

Here all is quiet. The British war has left us in debt; but that is a cheap price for the good it has done us. The establishment of the necessary manufactures among ourselves, the proof that our government is solid, can stand the shock of war, and is superior even to civil schism, are precious facts for us; and of these the strongest proofs were furnished, when, with four eastern States tied to us, as dead to living bodies, all doubt was removed as to the achievements of the war, had it continued. But its best effect has been the complete suppression of party. The federalists who were truly American, and their great mass was so, have separated from their brethren who were mere Anglomen, and are received with cordiality into the republican ranks. Even Connecticut, as a State, and the last one expected to yield its steady habits (which were essentially bigoted in politics as well as religion), has chosen a republican governor, and republican legislature. Massachusetts indeed still lags; because most deeply involved in the parricide crimes and treasons of the war. But her gangrene is contracting, the sound flesh advancing on it, and all there will be well. I mentioned Connecticut as the most hopeless of our States. Little Delaware

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had escaped my attention. That is essentially a Quaker State, the fragment of a religious sect which, there, in the other States, in England, are a homogeneous mass, acting with one mind, and that directed by the mother society in England. Dispersed, as the Jews, they still form, as those do, one nation, foreign to the land they live in. They are Protestant Jesuits, implicitly devoted to the will of their superior, and forgetting all duties to their country in the execution of the policy of their order. When war is proposed with England, they have religious scruples; but when with France, these are laid by, and they become clamorous for it. They are, however, silent, passive, and give no other trouble than of whipping them along. Nor is the election of Monroe an inefficient circumstance in our felicities. Four and twenty years, which he will accomplish, of administration in republican forms and principles, will so consecrate them in the eyes of the people as to secure them against the danger of change. The evanition of party dissensions has harmonized intercourse, and sweetened society beyond imagination. The war then has done us all this good, and the further one of assuring the world, that although attached to peace from a sense of its blessings, we will meet war when it is made necessary.

I wish I could give better hopes of our southern brethren. The achievement of their independence of Spain is no longer a question. But it is a very serious one, what will then become of them? Ignorance and bigotry, like other insanities, are incapable of self-government. They will fall under military des-

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potism, and become the murderous tools of the ambition of their respective Bonapartes; and whether this will be for their greater happiness, the rule of one only has taught you to judge. No one, I hope, can doubt my wish to see them and all mankind exercising self-government, and capable of exercising it. But the question is not what we wish, but what is practicable? As their sincere friend and brother then, I do believe the best thing for them, would be for themselves to come to an accord with Spain, under the guarantee of France, Russia, Holland, and the United States, allowing to Spain a nominal supremacy, with authority only to keep the peace among them, leaving them otherwise all the powers of self-government, until their experience in them, their emancipation from their priests, and advancement in information, shall prepare them for complete independence. I exclude England from this confederacy, because her selfish principles render her incapable of honorable patronage or disinterested co-operation; unless, indeed, what seems now probable, a revolution should restore to her an honest government, one which will permit the world to live in peace. Portugal, grasping at an extension of her dominion in the south, has lost her great northern province of Pernambuco, and I shall not wonder if Brazil should revolt in mass, and send their royal family back to Portugal. Brazil is more populous, more wealthy, more energetic, and as wise as Portugal. I have been insensibly led, my dear friend, while writing to you, to indulge in that line of sentiment in which we

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have been always associated, forgetting that these are matters not belonging to my time. Not so with you, who have still many years to be a spectator of these events. That these years may indeed be many and happy, is the sincere prayer of your affectionate friend.

TO WILSON CARY NICHOLAS. J.MSS.

MONTICELLO June 10. 17.

DEAR SIR,—I am detaining from the Philosophical society their copy of Colo. Byrd's journal, until I can learn whether I may be permitted to send with it also the supplementary one of which I obtained the loan thro' your favor. Will you be so good as to favor me with the name of the person to whom it belongs, that I may sollicit the permission without troubling you?

Does your new bank propose to do any business with country people? I have been in the habit of asking small accommodations occasionally from the Virginia bank where I had for some time past a note of 2000 D. The disastrous corn-crop of the last year & the excessive price of that article obliged me to apply to them lately for an additional 2000 D. to be indulged until the present crop should furnish new resources. They readily furnished the sum, but said the rules established for some time to come would forbid them to renew it at the expiration of the 60. days. Mr. Gibson, my correspondent & endorser advised me to enquire in time whether I could be enabled by the US. bank to take up the note when due, under a prospect of it's renewal for some months. Will you be so good as to inform me on this subject? Your friends in our vicinity are all well. I salute you with friendship and respect.

TO DOCTOR JOHN MANNERS. J.MSS.

MONTICELLO, June 12, 1817.

SIR,—Your favor of May 20th has been received some time since, but the increasing inertness of age renders me slow in

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obeying the calls of the writing-table, and less equal than I have been to its labors.

My opinion on the right of Expatriation has been, so long ago as the year 1776, consigned to record in the act of the Virginia code, drawn by myself, recognizing the right expressly, and prescribing the mode of exercising it. The evidence of this natural right, like that of our right to life, liberty, the use of our faculties, the pursuit of happiness, is not left to the feeble and sophistical investigations of reason, but is impressed on the sense of every man. We do not claim these under the charters of kings or legislators, but under the King of kings. If he has made it a law in the nature of man to pursue his own happiness, he has left him free in the choice of place as well as mode; and we may safely call on the whole body of English jurists to produce the map on which Nature has traced, for each individual, the geographical line which she forbids him to cross in pursuit of happiness. It certainly does not exist in his mind. Where, then, is it? I believe, too, I might safely affirm, that there is not another nation, civilized or savage, which has ever denied this natural right. I doubt if there is another which refuses its exercise. I know it is allowed in some of the most respectable countries of continental Europe, nor have I ever heard of one in which it was not. How it is among our savage neighbors, who have no law but that of Nature, we all know.

Though long estranged from legal reading and reasoning, and little familiar with the decisions of particular judges, I have considered that respecting the obligation of the common law in this country as a very plain one, and merely a question of document. If we are under that law, the document which made us so can surely be produced; and as far as this can be produced, so far we are subject to it, and farther we are not. Most of the States did, I believe, at an early period of their legislation, adopt the English law, common and statute, more or less in a body, as far as localities admitted of their application. In these States, then, the common law, so far as adopted, is the *lex-loci*. Then comes the law of Congress, declaring that what is law in any State, shall be the rule of decision in their courts, as to matters arising within that State, except when controlled by their own statutes. But

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this law of Congress has been considered as extending to civil cases only; and that no such provision has been made for criminal ones. A similar provision, then, for criminal offences, would, in like manner, be an adoption of more or less of the common law, as part of the *lex-loci*, where the offence is committed; and would cover the whole field of legislation for the general government. I have turned to the passage you refer to in Judge Cooper's Justinian, and should suppose the general expressions there used would admit of modifications conformable to this doctrine. It would alarm me indeed, in any case, to find myself entertaining an opinion different from that of a judgment so accurately organized as his. But I am quite persuaded that, whenever Judge Cooper shall be led to consider that question simply and nakedly, it is so much within his course of thinking, as liberal as logical, that, rejecting all blind and undefined obligation, he will hold to the positive and explicit precepts of the law alone. Accept these hasty sentiments on the subjects you propose, as hazarded in proof of my great esteem and respect.

TO BARON F. H. ALEXANDER VON HUMBOLDT. J.MSS.

MONTICELLO, June 13, 1817.

DEAR SIR,—The receipt of your Distributio Geographica Plantarum, with the duty of thanking you for a work which sheds so much new and valuable light on botanical science, excites the desire, also, of presenting myself to your recollection, and of expressing to you those sentiments of high admiration and esteem, which, although long silent, have never slept. The physical information you have given us of a country hitherto so shamefully unknown, has come exactly in time to guide our understandings in the great political revolution now bringing it into prominence on the stage of the world. The issue of its struggles, as they respect Spain, is no longer matter of doubt. As it respects their own liberty, peace and happiness, we cannot be quite so certain. Whether the blinds of bigotry, the shackles of the priesthood, and the fascinating glare of rank and wealth, give fair play to the common sense of the mass of their people,

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so far as to qualify them for self-government, is what we do not know. Perhaps our wishes may be stronger than our hopes. The first principle of republicanism is, that the *lex-majoris partis* is the fundamental law of every society of individuals of equal rights; to consider the will of the society enounced by the majority of a single vote, as sacred as if unanimous, is the first of all lessons in importance, yet the last which is thoroughly learnt. This law once disregarded, no other remains but that of force, which ends necessarily in military despotism. This has been the history of the French revolution, and I wish the understanding of our Southern brethren may be sufficiently enlarged and firm to see that their fate depends on its sacred observance.

In our America we are turning to public improvements. Schools, roads, and canals, are everywhere either in operation or contemplation. The most gigantic undertaking yet proposed, is that of New York, for drawing the waters of Lake Erie into the Hudson. The distance is 353 miles, and the height to be surmounted 661 feet. The expense will be great, but its effect incalculably powerful in favor of the Atlantic States. Internal navigation by steamboats is rapidly spreading through all our States, and that by sails and oars will ere long be looked back to as among the curiosities of antiquity. We count much, too, on its efficacy for harbor defence; and it will soon be tried for navigation by sea. We consider the employment of the contributions which our citizens can spare, after feeding, and clothing, and lodging themselves comfortably, as more useful, more moral, and even more splendid, than that preferred by Europe, of destroying human life, labor and happiness.

I write this letter without knowing where it will find you. But wherever that may be, I am sure it will find you engaged in something instructive for man. If at Paris, you are of course in habits of society with Mr. Gallatin, our worthy, our able, and excellent minister, who will give you, from time to time, the details of the progress of a country in whose prosperity you are so good as to feel an interest, and in which your name is revered among those of the great worthies of the world. God bless you, and preserve you long to enjoy the gratitude of your fellow men, and to be blessed with honors, health and happiness.

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TO ALBERT GALLATIN. J. MSS.

MONTICELLO, June 16, 1817.

DEAR SIR,—The importance that the enclosed letters should safely reach their destination, impels me to avail myself of the protection of your cover. This is an inconvenience to which your situation exposes you, while it adds to the opportunities of exercising yourself in works of charity.

According to the opinion I hazarded to you a little before your departure, we have had almost an entire change in the body of Congress. The unpopularity of the compensation law was completed, by the manner of repealing it as to all the world except themselves. In some States, it is said, every member is changed; in all, many. What opposition there was to the original law, was chiefly from southern members. Yet many of those have been left out, because they received the advanced wages. I have never known so unanimous a sentiment of disapprobation; and what is remarkable is, that it was spontaneous. The newspapers were almost entirely silent, and the people not only unled by their leaders, but in opposition to them. I confess I was highly pleased with this proof of the innate good sense, the vigilance, and the determination of the people to act for themselves.

Among the laws of the late Congress, some were of note; a navigation act, particularly, applicable to those nations only who have navigation acts; pinching one of them especially, not only in the general way, but in the intercourse with her foreign possessions. This part may re-act on us, and it remains for trial which may bear longest. A law respecting our conduct as a neutral between Spain and her contending colonies, was passed by a majority of one only, I believe, and against the very general sentiment of our country. It is thought to strain our complaisance to Spain beyond her right or merit, and almost against the right of the party, and certainly against the claims they have to our good wishes and neighborly relations. That we should wish to see the people of other countries free, is as natural, and at least as justifiable, as that one King should wish to see the Kings of other countries maintained in their despotism. Right

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to both parties, innocent favor to the juster cause, is our proper sentiment.

You will have learned that an act for internal improvement, after passing both Houses, was negatived by the President. The act was founded, avowedly, on the principle that the phrase in the constitution which authorizes Congress "to lay taxes, to pay the debts and provide for the general welfare," was an extension of the powers specifically enumerated to whatever would promote the general welfare; and this, you know, was the federal doctrine. Whereas, our tenet ever was, and, indeed, it is almost the only landmark which now divides the federalists from the republicans, that Congress had not unlimited powers to provide for the general welfare, but were restrained to those specifically enumerated; and that, as it was never meant they should provide for that welfare but by the exercise of the enumerated powers, so it could not have been meant they should raise money for purposes which the enumeration did not place under their action; consequently, that the specification of powers is a limitation of the purposes for which they may raise money. I think the passage and rejection of this bill a fortunate incident. Every State will certainly concede the power; and this will be a national confirmation of the grounds of appeal to them, and will settle forever the meaning of this phrase, which, by a mere grammatical quibble, has countenanced the General Government in a claim of universal power. For in the phrase, "to lay taxes, to pay the debts and provide for the general welfare," it is a mere question of syntax, whether the two last infinitives are governed by the first or are distinct and co-ordinate powers; a question unequivocally decided by the exact definition of powers immediately following. It is fortunate for another reason, as the States, in conceding the power, will modify it, either by requiring the federal ratio of expense in each State, or otherwise, so as to secure us against its partial exercise. Without this caution, intrigue, negotiation, and the barter of votes might become as habitual in Congress, as they are in those legislatures which have the appointment of officers, and which, with us, is called "logging," the term of the farmers for their exchanges of aid in rolling together the logs of their newly-cleared grounds. Three of

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our papers have presented us the copy of an act of the legislature of New York, which, if it has really passed, will carry us back to the times of the darkest bigotry and barbarism, to find a parallel. Its purport is, that all those who shall *hereafter* join in communion with the religious sect of Shaking Quakers, shall be deemed civilly dead, their marriages dissolved, and all their children and property taken out of their hands. This act being published nakedly in the papers, without the usual signatures, or any history of the circumstances of its passage, I am not without a hope it may have been a mere abortive attempt. It contrasts singularly with a cotemporary vote of the Pennsylvania legislature, who, on a proposition to make the belief in God a necessary qualification for office, rejected it by a great majority, although assuredly there was not a single atheist in their body. And you remember to have heard, that when the act for religious freedom was before the Virginia Assembly, a motion to insert the name of Jesus Christ before the phrase, "the author of our holy religion," which stood in the bill, was rejected, although that was the creed of a great majority of them.

I have been charmed to see that a Presidential election now produces scarcely any agitation. On Mr. Madison's election there was little, on Monroe's all but none. In Mr. Adams' time and mine, parties were so nearly balanced as to make the struggle fearful for our peace. But since the decided ascendency of the republican body, federalism has looked on with silent but unresisting anguish. In the middle, southern and western States, it is as low as it ever can be; for nature has made some men monarchists and tories by their constitution, and some, of course, there always will be.

TO CHARLES CLAY.

POPLAR FOREST, July 12, 17.

DEAR SIR,—This is the only fair day since you were here, & being to depart to-morrow, I must employ it otherwise than in paying the visit I had in-

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tended you. I shall be back however within 3 weeks and have time then to render the double.

In the mean while as your Paul is desirous of laying up useful things in the storehouse of his mind, I send him a little bundle of canons of conduct which may merit a shelf after the one occupied by the Decalogue of first authority. If he will get them by heart, occasions will not be wanting for their useful application. You can furnish him also with another decad, and regulating his life by this code of practice it may bring pleasure and profit to himself, and praise from others. Wishing pleasure, profit, and praise to him, to you and yours, I salute you with constant friendship and respect.[1]

TO GOODMAN, REED, BOYER & DUANE.

POPLAR FOREST NEAR LYNCHBURG, Aug. 21, 17.

MESSRS. GOODMAN, REED, BOYER & DUANE:

Your letter of the 6th inst. is delivered to me at this place with an extract from the Franklin Republican of July 29. in these

[1] Th. Jefferson to Paul Clay.

"1. Never spend your money before you have it.

2. Never buy what you don't want, because it is cheap: it will be dear to you.

3. Pride costs more than hunger, thirst and cold.

4. Never put off till to-morrow what you can do to-day.

5. Never trouble another for what you can do yourself.

6. Think as you please and let others do so: you will then have no disputes.

7. How much pain have cost us the things which have never happened.

8. Take things always by their smooth handle.

9. When angry count 10. before you speak. If very angry 100.

10. When at table, remember that we never repent of having eaten or drunk too little.

Hæc animo concipe dicta tuo et vale."

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words. 'Extract of a letter from Virginia. July 13. 1817. The day before yesterday I was at Monticello, & had the gratification to hear the chief of the elevated group there (Mr. Jefferson) express his anxious wish for the success of the *democratic republican* gubernatorial candidate in Pensylvania—As he says he has *no opinion of tool or turnabout politicians just to serve their own aggrandisement.*' Now I declare to you, Gentlemen, on my honor that I never expressed a sentiment, or uttered a syllable to any mortal living on the subject of the election referred to in this extract. It is one into which I have never permitted even my wishes to enter, entertaining as I do a high respect for both the characters in competition, and not doubting that the state of Pensylvania will be happier under the government of either. If any further proof of the falsehood of this letter writer were required, it would be found in the fact that on the 11th of July, when he pretends to have seen me at Monticello, & to have been entrusted by me with expressions so highly condemnable, I was at this place 90 miles South West of that, attending to my harvest here. I had left Monticello on the 29th of June, & did not return to it until the 15th of July. The facts of my absence from the one place, & presence at the other, at that date, are well known to many inhabitants of the town of Charlottesville near the one, & of Lynchburg near the other place.

I am duly sensible of the sentiments of respect with which you are pleased to honor me in your letter, as I am also of those concerning myself in the resolutions of the respectable Committee of the New market ward, who have been led into error by this very false letter writer. These, I trust, will not be lessened on either side by my assurance that, considering this as a family question I do not allow myself to take any part in it, and the less as the issue either way cannot be unfavorable to republican government. I tender to both parties sincere sentiments of esteem & respect.

TO GEORGE TICKNOR. J.MSS.

POPLAR FOREST NEAR LYNCHBURG, Nov. 25. 17.

DEAR SIR,—Your favor of Aug. 14. was delivered to me as I was setting out for the distant possession from which I now write,

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& to which I pay frequent & long visits. On my arrival here I make it my first duty to write the letter you request to Mr. Erving, and to in close itin this under cover to your father that you may get it in time. My letters are always letters of thanks because you are always furnishing occasion for them. I am very glad you have been so kind as to make the alteration you mention in the Herodotus & Livy I had asked from the Messrs. Desbures. I have not yet heard from them, but daily expect to do so, and to learn the arrival of my books. I shall probably send them another catalogue early in spring; every supply from them furnishing additional materials for my happiness.

I had before heard of the military ingredients which Bonaparte had infused into all the schools of France, but have never so well understood them as from your letter. The penance he is now doing for all his atrocities must be soothing to every virtuous heart. It proves that we have a god in heaven. That he is just, and not careless of what passes in this world. And we cannot but wish to this inhuman wretch, a long, long life, that time as well as intensity may fill up his sufferings to the measure of his enormities. But indeed what sufferings can atone for his crimes against the liberties & happiness of the human race; for the miseries he has already inflicted on his own generation, & on those yet to come, on whom he has rivetted the chains of despotism!

I am now entirely absorbed in endeavours to effect the establishment of a general system of education in my native state, on the triple basis, 1, of elementary schools which shall give to the children of every citizen gratis, competent instruction in reading, writing, common arithmetic, and general geography. 2. Collegiate institutions for antient & modern languages, for higher instruction in arithmetic, geography & history, placing for these purposes a college within a day's ride of every inhabitant of the state, and adding a provision for the full education at the public expence of select subjects from among the children of the poor, who shall have exhibited at the elementary schools the most prominent indications of aptness of judgment & correct disposition. 3. An University in which all the branches of science deemed useful at this day, shall be taught in their highest degree. This would probably require ten or twelve professors, for most of whom we shall be

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obliged to apply to Europe, and most likely to Edinburg, because of the greater advantage the students will receive from communications made in their native language. This last establishment will probably be within a mile of Charlottesville, and four from Monticello, if the system should be adopted at all by our legislature who meet within a week from this time. My hopes however are kept in check by the ordinary character of our state legislatures, the members of which do not generally possess information enough to perceive the important truths, that knolege is power, that knolege is safety, and that knolege is happiness.

In the meantime, and in case of failure of the broader plan, we are establishing a college of general science, at the same situation near Charlottesville, the scale of which, of necessity will be much more moderate, as resting on private donations only. These amount at present to about 75,000 Dollars. The buildings are begun, and by midsummer we hope to have two or three professorships in operation. Would to god we could have two or three duplicates of yourself, the original being above our means and hopes. If then we fail in doing all the good we wish, we will do at least all we can. This is the law of duty in every society of free agents, where every one has equal right to judge for himself. God bless you, and give to the means of benefiting mankind which you will bring home with you, all the success your high qualifications ought to insure.

TO WILLIAM WIRT. J. MSS.

MONTICELLO, January 5, 1818.

I have first to thank you, dear Sir, for the copy of your late work which you have been so kind as to send me, and then to render you double congratulations, first, on the general applause it has so justly received, and next on the public testimony of esteem for its author, manifested by your late call to the executive councils of the nation. All this I do heartily, and then proceed to a case of business on which you will have to advise the government on the threshold of your office. You have seen the

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death of General Kosciusko announced in the papers in such a way as not to be doubted. He had in the funds of the United States a very considerable sum of money, on the interest of which he depended for subsistence. On his leaving the United States, in 1798, he placed it under my direction by a power of attorney, which I executed entirely through Mr. Barnes, who regularly remitted his interest. But he left also in my hands an autograph will, disposing of his funds in a particular course of charity, and making me his executor. The question the government will ask of you, and which I therefore ask, is in what court must this will be proved, and my qualification as executor be received, to justify the United States in placing these funds under the trust? This is to be executed wholly in this State, and will occupy so long a course of time beyond what I can expect to live, that I think to propose to place it under the Court of Chancery. The place of probate generally follows the residence of the testator. That was in a foreign country in the present case. Sometimes the *bona notabilia*. The evidences or representations of these (the certificates) are in my hands. The things represented (the money) in those of the United States. But where are the United States? Everywhere, I suppose, where they have government or property liable to the demand on payment. That is to say, in every State of the Union, in this, for example, as well as any other, strengthened by the circumstances of the deposit of the will, the residence of the executor, and the place where the trust is to be executed. In no instance, I believe, does the mere habitation of the debtor draw to it the place of probate, and if it did, the United States are omnipresent by their functionaries, as well as property in every State of the Union. I am led by these considerations to suppose our district or general court competent to the object; but you know best, and by your advice, sanctioned by the Secretary of the Treasury, I shall act. I write to the Secretary on this subject. If our district court will do, I can attend it personally; if the general court only be competent, I am in hopes it will find means of dispensing with my personal attendance. I salute you with affectionate esteem and respect.

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TO JOSEPH C. CABELL.[1]

MONTICELLO, Jan. 14, 1818.

DEAR SIR,—When on the 6th inst. I was answering yours of Dec. 29, I was so overwhelmed with *letters to be answered*, that I could not take time to notice the objection stated, "that it was apprehended that neither the people, nor their representatives, would agree to the plan of assessment on the wards for the expenses of the ward schools." I suppose that this is meant the "pecuniary expense of wages to the tutor"; for, as to what the people are to do, or to contribute in kind, every one who knows the situation of our people in the country, knows it will not be felt. The building the long houses will employ the laborers of the ward three or four days in every 20 years. The contributions for subsistence, if averaged on the families, would be 8 or 9 lbs. of pork, and a half a bushel of corn for a family of middling circumstances—not more than 2 days subsistence of the family and its stock—and less in proportion as it could spare less. There is not a family in the country so poor as to feel this contribution. It must then be the assessment of the pecuniary contribution which is thought so formidable an addition to the property tax we now pay to the state that "neither the people, nor their representatives would agree to." Now, let us look this objection in the face, and bring it to the unerring test of figures;—premising that this pecuniary tax is to be of 150 dollars on a ward.

Not possessing the documents which would give me the numbers to be quoted, correctly to a unit, I shall use round numbers, so near the truth, that with the further advantage of facilitating our calculations as we go a long, they will make no sensible error in the result. I will proceed therefore on the following postulates, and on the ground that there are in the whole state 100 counties and cities.

	In the whole state.	In every county on an average.
The free white inhabitants of all ages and sexes, at the last census were.....	600,000	6,000
The number of militia were somewhere about.....	80,000	800

[1] From *Niles's Register*, vol. xiv., p. 174.

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	In the whole state.	In every county on an average.
The number of captain's companies, of 67 each would be about.....	1,200	12
Free white inhabitants for every militia company, 600,000–1200.....	500	00
The tax on property paid to the state is nearly.....	500,000	5,000

Let us then proceed on these data, to compare the expense of the proposed and of the existing system of primary schools. I have always supposed that the wards should be laid off as to comprehend the number of inhabitants necessary to furnish a captains company of militia. This is before stated at 500 persons of all ages and sexes. From the tables of mortality (Buffon's) we find that where there are 500 persons of all ages and sexes, there will always be 14 in their 10th year, 13 and a fraction in their 11th, and 13 in their 12th year; so that the children of these three years (which are those that ought to be devoted to the elementary schools) will be a constant number of 40; about enough to occupy one teacher constantly. His wages of $150, partitioned on these 40, make their teaching cost $3¾ a-piece, annually. If we reckon as many heads of families in a ward as there are militia (as I think we may, the unmarried militia men balancing, in numbers, the married and unmarried exempts) $150 on 67 heads of families (if levied equally) would be $2,24 on each. At the same time the property tax on the ward being $5000 :–12, or $416, and that again subdivided on 67 heads of families (if it were levied equally) would be $6,20 on a family of middling circumstances, the tax which it now pays to the state. So that to $6,20, the present state tax, the school tax, would add $2,24, which is about 36 cents to the dollar, or one third to the present property tax: and to the whole state would be $150 × 1200 wards equal to $180,000 of tax added to the present $500,000.

Now let us see what the present primary schools cost us, on the supposition that all the children of 10, 11 and 12 years old are, as they ought to be, at school: and if they are not, so much the worse is the system: for they will be untaught, and their ignorance and vices will, in future life cost us much dearer in their

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consequences, than it would have done, in their correction, by a good education.

I am here at a loss to say what is now paid to our English elementary schools, generally, through the state. In my own neighborhood, those who formerly received from 20s to 30s a scholar, now have from 20 to 30 dollars; and having no other information to go on, I must use my own numbers, the result of which, however, will be easily corrected, and accomodated to the average price through the state, when ascertained; and will yet, I am persuaded, leave abundance of difference between the two systems.

Taking a medium of $25, the 40 pupils in each ward now cost $1000 a year, instead of $150, or $15 on a family, instead of $2, 24; and 1200 wards cost to the whole state $1,200,000 of tax, in addition to the present $500,000 instead of $180,000 only; producing a difference of $1,020,000 in favor of the ward system, more than doubling the present tax, instead of adding one third only, and should the price of tuition, which I have adopted from that in my own neighborhood, be much above the average thro' the state, yet no probable correction will bring the two systems near a level.

But take into consideration, also, the important difference, that the $1,200,000 are now paid by the people as a poll tax, the poor having as many children as the rich, and paying the whole tuition money themselves; whereas, on the proposed ward levies the poor man would pay in proportion to his hut and peculium only, which the rich would pay on their palaces and principalities. It cannot, then be that the people will not agree to have their tuition tax lightened by levies on the ward rather than on themselves; and as little believe that their "representatives" will disagree to it; for even the rich will pay less than they do now. The portion of the $180,000, which, on the ward system, they will pay for the education of the poor as well as of their own children, will not be as much as they now pay for their own alone.

And will the wealthy individual have no retribution? and what will this be? 1. The peopling his neighborhood with honest, useful and enlightened citizens, understanding their own rights and firm in their perpetuation. 2. When his own descendants became poor, which they generally do within three generations,

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(no law of Primogeniture now perpetuating wealth in the same families) their children will be educated by the then rich, and the little advance he now makes to poverty, while rich himself, will be repaid by the then rich, to his descendants when become poor, and thus give them a chance of rising again. This is a solid consideration, and should go home to the bosom of every parent. This will be seed sowed in fertile ground. It is a provision for his family looking to distant times, and far in duration beyond that he has now in hand for them. Let every man count backwards in his own family, and see how many generations he can go, before he comes to the ancestor who made the fortune he now holds. Most will be stopped at the first generation, many at the 2d, few will reach the third, and not one in the state go beyond the 5th.

I know that there is much prejudice, even among the body of the people, against the expense and even the practicability of a sufficient establishment of elementary schools, but I think it proceeds from vague ideas on a subject they have never brought to the test of facts and figures; but our representatives will fathom its depths, and the people could and would do the same, if the facts and considerations belonging to the subject were presented to their minds and their subsequent as certainly as their previous approbation, would be secured.

But if the whole expense of the elementary schools, wages, subsistence and buildings are to come from the literary fund, and if we are to wait until that fund shall be accumulated to the requisite amount, we justly fear that some one unlucky legislature will intervene within the time, charge the whole appropriation to the lightening of taxes, and leave us where we now are.

There is, however, an intermediate measure which might bring the two plans together. If the literary fund be of one and a half million of dollars, take the half million for the colleges and university, it will establish them meagrely and make a deposite of the remaining million. Its interest of $60,000 will give $50 a year to each ward, towards the teacher's wages, and reduce the tax to 24 instead of 36 cents to the dollar; and as the literary fund continues to accumulate give one-third of the increase to the colleges and university and two-thirds to the ward schools. The increas-

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ing interest of this last portion will be continually lessening the school tax, until it will extinguish it altogether; the subsistence and buildings remaining always to be furnished by the ward in kind.

A system of general instruction, which shall reach every description of our citizens from the richest to the poorest, as it was the earliest, so will it be the latest of all the public concerns in which I shall permit myself to take an interest. Nor am I tenacious of the form in which it shall be introduced. Be that what it may, our descendants will be as wise as we are, and will know how to amend and amend it, until it shall suit their circumstances. Give it to us, then in any shape, and receive for the inestimable boon the thanks of the young and the blessings of the old, who are past all other services but prayers for the prosperity of their country and blessings for those who promote it.

TO DR. BENJAMIN WATERHOUSE. J. MSS.

MONTICELLO, March 3, 1818.

DEAR SIR,—I have just received your favor of February 20th, in which you observe that Mr. Wirt, on page 47 of his Life of Patrick Henry, quotes me as saying that "Mr. Henry certainly gave the first impulse to the ball of revolution." I well recollect to have used some such expression in a letter to him, and am tolerably certain that our own State being the subject under contemplation, I must have used it with respect to that only. Whether he has given it a more general aspect I cannot say, as the passage is not in the page you quote, nor, after thumbing over much of the book, have I been able to find it.[1] In page 417 there is something like it, but not the exact expression, and even there it may be doubted whether Mr. Wirt had his eye on Virginia alone, or on all the colonies. But the question, who commenced the revolution? is as difficult as that of the first inventors of a thousand good things. For example, who first discovered the principle of gravity? Not Newton; for Galileo, who died the year

[1] It was on page 41.

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that Newton was born, had measured its force in the descent of gravid bodies. Who invented the Lavoiserian chemistry? The English say Dr. Black, by the preparatory discovery of latent heat. Who invented the steamboat? Was it Gerbert, the Marquis of Worcester, Newcomen, Savary, Papin, Fitch, Fulton? The fact is, that one new idea leads to another, that to a third, and so on through a course of time until some one, with whom no one of these ideas was original, combines all together, and produces what is justly called a new invention. I suppose it would be as difficult to trace our revolution to its first embryo. We do not know how long it was hatching in the British cabinet before they ventured to make the first of the experiments which were to develop it in the end and to produce complete parliamentary supremacy. Those you mention in Massachusetts as preceding the stamp act, might be the first visible symptoms of that design. The proposition of that act in 1764, was the first here. Your opposition, therefore, preceded ours, as occasion was sooner given there than here, and the truth, I suppose, is, that the opposition in every colony began whenever the encroachment was presented to it. This question of priority is as the inquiry would be who first, of the three hundred Spartans, offered his name to Leonidas? I shall be happy to see justice done to the merits of all, by the unexceptionable umpirage of date and facts, and especially from the pen which is proposed to be employed in it.

I rejoice, indeed, to learn from you that Mr. Adams retains the strength of his memory, his faculties, his cheerfulness, and even his epistolary industry. This last is gone from me. The aversion has been growing on me for a considerable time, and now, near the close of seventy-five, is become almost insuperable. I am much debilitated in body, and my memory sensibly on the wane. Still, however, I enjoy good health and spirits, and am as industrious a reader as when a student at college. Not of newspapers. These I have discarded. I relinquish, as I ought to do, all intermeddling with public affairs, committing myself cheerfully to the watch and care of those for whom, in my turn I have watched and cared. When I contemplate the immense advances in science and discoveries in the arts which have been made within the period of my life, I look forward with confi-

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dence to equal advances by the present generation, and have no doubt they will consequently be as much wiser than we have been as we than our fathers were, and they than the burners of witches. Even the metaphysical contest, which you so pleasantly described to me in a former letter, will probably end in improvement, by clearing the mind of Platonic mysticism and unintelligible jargon. Although age is taking from me the power of communicating by letter with my friends as industriously as heretofore, I shall still claim with them the same place they will ever hold in my affections, and on this ground I, with sincerity and pleasure, assure you of my great esteem and respect.

TO NATHANIEL BURWELL. J. MSS.

MONTICELLO, March 14, 1818.

DEAR SIR,—Your letter of February 17th found me suffering under an attack of rheumatism, which has but now left me at sufficient ease to attend to the letters I have received. A plan of female education has never been a subject of systematic contemplation with me. It has occupied my attention so far only as the education of my own daughters occasionally required. Considering that they would be placed in a country situation, where little aid could be obtained from abroad, I thought it essential to give them a solid education, which might enable them, when become mothers, to educate their own daughters, and even to direct the course for sons, should their fathers be lost, or incapable, or inattentive. My surviving daughter accordingly, the mother of many daughters as well as sons, has made their education the object of her life, and being a better judge of the practical part than myself, it is with her aid and that of one of her élèves that I shall subjoin a catalogue of the books for such a course of reading as we have practiced.

A great obstacle to good education is the inordinate passion prevalent for novels, and the time lost in that reading which should be instructively employed. When this poison infects the mind, it destroys its tone and revolts it against wholesome reading. Reason and fact, plain and unadorned, are rejected.

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Nothing can engage attention unless dressed in all the figments of fancy, and nothing so bedecked comes amiss. The result is a bloated imagination, sickly judgment, and disgust towards all the real businesses of life. This mass of trash, however, is not without some distinction; some few modelling their narratives, although fictitious, on the incidents of real life, have been able to make them interesting and useful vehicles of a sound morality. Such, I think, are Marmontel's new moral tales, but not his old ones, which are really immoral. Such are the writings of Miss Edgeworth, and some of those of Madame Genlis. For a like reason, too, much poetry should not be indulged. Some is useful for forming style and taste. Pope, Dryden, Thompson, Shakspeare, and of the French, Molière, Racine, the Corneilles, may be read with pleasure and improvement.

The French language, become that of the general intercourse of nations, and from their extraordinary advances, now the depository of all science, is an indispensable part of education for both sexes. In the subjoined catalogue, therefore, I have placed the books of both languages indifferently, according as the one or the other offers what is best.

The ornaments too, and the amusements of life, are entitled to their portion of attention. These, for a female, are dancing, drawing, and music. The first is a healthy exercise, elegant and very attractive for young people. Every affectionate parent would be pleased to see his daughter qualified to participate with her companions, and without awkwardness at least, in the circles of festivity, of which she occasionally becomes a part. It is a necessary accomplishment, therefore, although of short use, for the French rule is wise, that no lady dances after marriage. This is founded in solid physical reasons, gestation and nursing leaving little time to a married lady when this exercise can be either safe or innocent. Drawing is thought less of in this country than in Europe. It is an innocent and engaging amusement, often useful, and a qualification not to be neglected in one who is to become a mother and an instructor. Music is invaluable where a person has an ear. Where they have not, it should not be attempted. It furnishes a delightful recreation for the hours of respite from the cares of the day, and lasts us through life.

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The taste of this country, too, calls for this accomplishment more strongly than for either of the others.

I need say nothing of household economy, in which the mothers of our country are generally skilled, and generally careful to instruct their daughters. We all know its value, and that diligence and dexterity in all its processes are inestimable treasures. The order and economy of a house are as honorable to the mistress as those of the farm to the master, and if either be neglected, ruin follows, and children destitute of the means of living.

This, Sir, is offered as a summary sketch on a subject on which I have not thought much. It probably contains nothing but what has already occurred to yourself, and claims your acceptance on no other ground than as a testimony of my respect for your wishes, and of my great esteem and respect.

TO ALBERT GALLATIN. J. MSS.

MONTICELLO, Apr. 9. 18.

DEAR SIR,—I avail myself as usual of the protection of your cover for my letters that to Cathalan need only be put into the post office ; but for that for Appleton I must ask the favor of you to adopt the safest course which circumstances offer. You will have seen by the newspapers that there is a decided ascendancy of the republican party in nearly all the states. Connecticut decidedly so. It is thought the elections of this month in Massachusetts will at length arrange that recreant state on the republican side. Maryland is doubtful, and Delaware only decidedly Anglican ; for the term federalist is nearly laid aside, and the distinction begins to be in name, what it always was in fact, that is to say Anglican and American. There are some turbid appearances in Congress. A quondam colleague of yours, who had acquired some distinction and favor in the public eye is throwing it away by endeavouring to obtain his end by rallying an opposition to the administration. This error has already ruined some among us, and will ruin others who do not perceive that it is the steady abuse of power in other governments which renders that

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of opposition always the popular party. I imagine you receive the newspapers and these will give you everything which I know; so I will only add the assurances of my constant affection & respect.

TO JOHN ADAMS. J. MSS.

MONTICELLO, May 17, 1818.

DEAR SIR,—I was so unfortunate as not to receive from Mr. Holly's own hand your favor of January the 28th, being then at my other home. He dined only with my family, and left them with an impression which has filled me with regret that I did not partake of the pleasure his visit gave them. I am glad he is gone to Kentucky. Rational Christianity will thrive more rapidly there than here. They are freer from prejudices than we are, and bolder in grasping at truth. The time is not distant, though neither you nor I shall see it, when we shall be but a secondary people to them. Our greediness for wealth, and fantastical expense, have degraded, and will degrade, the minds of our maritime citizens. These are the peculiar vices of commerce.

I had been long without hearing *from* you, but I had heard *of* you through a letter from Doctor Waterhouse. He wrote to reclaim against an expression of Mr. Wirt's, as to the commencement of motion in the revolutionary ball. The lawyers say that words are always to be expounded *secundum subjectam materiem*, which, in Mr. Wirt's case, was Virginia. It would, moreover, be as difficult to say at what moment the

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Revolution began, and what incident set it in motion, as to fix the moment that the embryo becomes an animal, or the act which gives him a beginning. But the most agreeable part of his letter was that which informed me of your health, your activity, and strength of memory; and the most wonderful, that which assured me that you retained your industry and promptness in epistolary correspondence. Here you have entire advantage over me. My repugnance to the writing table becomes daily and hourly more deadly and insurmountable. In place of this has come on a canine appetite for reading. And I indulge it, because I see in it a relief against the *tædium senectutis;* a lamp to lighten my path through the dreary wilderness of time before me, whose bourne I see not. Losing daily all interest in the things around us, something else is necessary to fill the void. With me it is reading, which occupies the mind without the labor of producing ideas from my own stock.

I enter into all your doubts as to the event of the revolution of South America. They will succeed against Spain. But the dangerous enemy is within their own breasts. Ignorance and superstition will chain their minds and bodies under religious and military despotism. I do believe it would be better for them to obtain freedom by degrees only; because that would by degrees bring on light and information, and qualify them to take charge of themselves understandingly; with more certainty, if in the meantime, under so much control as may keep them at peace with one another. Surely, it is our duty to wish them independence and self-government, because they wish

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it themselves, and they have the right, and we none, to choose for themselves, and I wish, moreover, that our ideas may be erroneous, and theirs prove well founded. But these are speculations, my friend, which we may as well deliver over to those who are to see their development. We shall only be lookers on, from the clouds above, as now we look down on the labors, the hurry and bustle of the ants and bees. Perhaps in that super-mundane region, we may be amused with seeing the fallacy of our own guesses, and even the nothingness of those labors which have filled and agitated our own time here.

En attendant, with sincere affections to Mrs. Adams and yourself, I salute you both cordially.

TO ARCHIBALD STUART.[1]

MONTICELLO, May 28. 18.

DEAR SIR,—Our fathers taught us an excellent maxim 'never to put off to tomorrow what you can do today.' By some of their degenerate sons this has been reversed by never doing today what we can put off to tomorrow. For example I have been more than a year intending to send you a Merino ram, *next week*, and week after week it has been put off still to *next week*, which, like to-morrow was never present. I now however send you one of full blood, born of my imported ewe of the race called Aquerres, by the imported ram of the Paular race which belonged to the Prince of peace, was sold by order of the Junto of Estremadura, was purchased and sent to me 1810, by Mr Jarvis our Consul at Lisbon. The Paular's are deemed the finest race in Spain for size & wool taken together, the aquerres superior to all in wool, but small.—Supposing the season with you has not yet given you peas, the opportunity has inticed me to send you a mess. I have

[1] From the original in the possession of the Virginia Historical Society.

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not yet communicated your hospitable message to Mr. Madison but shall soon have an opportunity of doing it. To my engagement I must annex a condition that in case of an adjournment to Charlottesville you make Monticello your headquarters. But in my opinion we should not adjourn at all, and to any other place rather than either of those in competition. I think the opinion of the legislature strongly implied in their avoiding both these places, and calling us to one between both. My own opinion will be against any adjournment, as long as we can get bread & water & a floor to lie on at the gap & particularly against one Westwardly, because there we shall want *water*. But my information is that we shall be tolerably off at the Gap. That they have 40 lodging rooms and are now making ample preparations. A waggon load of beds has passed thro' Charlottesville, which at that season however we shall not need. I will certainly however pay you a visit, probably on the day after our meeting (Sunday) as we shall not yet have entered on business. Be so good as to present my respects to Mrs Stuart and to be assured of my constant friendship.

TO GENERAL JAMES WILKINSON. J. MSS.

MONTICELLO, June 25. 18.

DEAR GENERAL,—A life so much employed in public as yours has been, must subject you often to be appealed to for facts by those whom they concern. An occasion occurs to myself of asking this kind of aid from your memory & documents. The posthumous volume of Wilson's Ornithology, altho' published some time since, never happened to be seen by me until a few days ago. In the account of his life, prefixed to that volume his biographer indulges himself in a bitter invective against me, as having refused to employ Wilson on Pike's expedition to the Arkansas, on which particularly he wished to have been employed. On turning to my papers I have not a scrip of a pen on the subject of that expedition which convinces me that it was not one of those which emanated from myself: and if a decaying memory does not deceive me I think that it was ordered by your-

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self from St. Louis, while Governor and military commander there; that it was an expedition for reconnoitring the Indian and Spanish positions which might be within striking distance; that so far from being an expedition admitting a leisurely and scientific examination of the natural history of the country, it's movements were to be on the alert, & too rapid to be accommodated to the pursuits of scientific men; that if previously communicated to the Executive, it was not in time for them, from so great a distance, to have joined scientific men to it; nor is it probable it could be known at all to Mr. Wilson and to have excited his wishes and expectations to join it. If you will have the goodness to consult your memory and papers on this subject, & to write me the result you will greatly oblige me.

My retirement placed me at once in a state of such pleasing freedom and tranquility, that I determined never more to take any concern in public affairs, but to consider myself merely as a passenger in the public vessel, placed under the pilotage of others, in whom too my confidence was entire. I therefore discontinued all correspondence on public subjects, and was satisfied to hear only so much as true or false, as a newspaper or two could give me. In these I sometimes saw matters of much concern, and particularly that of your retirement. A witness myself of the merit of your services while I was in a situation to know and to feel their benefit, I made no enquiry into the circumstances which terminated them, whether moving from yourself or others. With the assurance however that my estimate of their value remains unaltered, I pray you to accept that of my great and continued esteem and respect.

TO WILLIAM H. CRAWFORD. J. MSS.

(SECRETARY OF THE TREASURY.)

MONTICELLO Nov. 10. 18.

DEAR SIR,—Totally withdrawn from all attention to public affairs, & void of all anxiety about them as reposing entire confidence in those who administer them, I am led to some remarks on a particular subject by having heretofore taken some concern

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in it, and I should not do it even now but for information that you had turned your attention to it at the last session of Congress, and meant to do it again at the ensuing one.

When Mr. Dallas's Tariff first appeared in the public papers, I observed that among his reforms, none was proposed on the most exceptionable article in Mr. Hamilton's original Tariff, I mean that of wines. I think it a great error to consider a heavy tax on wines, as a tax on luxury. On the contrary it is a tax on the health of our citizens. It is a legislative declaration that none but the richest of them shall be permitted to drink wine, and in effect a condemnation of all the middling & lower conditions of society to the poison of whisky, which is destroying them by wholesale, and ruining their families. Whereas were the duties on the cheap wines proportioned to their first cost the whole middling class of this country could have the gratification of that milder stimulus, and a great proportion of them would go into it's use and banish the baneful whisky. Surely it is not from the necessities of our treasury that we thus undertake to debar the mass of our citizens the use of not only an innocent gratification, but a healthy substitute instead of a bewitching poison. This aggression on the public taste and comfort has been ever deemed among the most arbitrary & oppressive abuses of the English government. It is one which I hope we shall never copy. But the truth is that the treasury would gain in the long run by the vast extension of the use of the article. I should therefore be for encouraging the use of wine by placing it among the articles of lightest duty. But be this as it may, take what rate of duty is thought proper, but carry it evenly thro' the cheap as well as the highest priced wines. If we take the duty on Madeira as the standard, it will be of about 25 per cent on the first cost, and I am sensible it lessens frauds to enumerate the wines known and used here, and to lay a specific duty on them, according to their known cost, but then the unknown and non enumerated should be admitted at the same per cent on their first cost. There are abundance of wines in Europe some weak, some strong, & of good flavor which do not cost there more than 2 cents a quart, and which are dutied here at 15. cents. I have myself imported wines which cost but 4. cents the quart and paid 15 cents duty. But an

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extraordinary inconsistence is in the following provisions of the Tariff. 'Claret & *other wines not enumerated*
imported in bottles, per gallon..... 70 cents
when imported otherwise than in bottles..... 25. cents
black bottles, glass, quart, per gross..... 144. cents
If a cask of wine then is imported, and the bottles brought empty to put it into, the wine pays 6¼ cents the quart, & the bottles 1. cent, making 7¼ cents a bottle. But if the same wine is put into the same bottles there it pays 15 cents the quart, which is a tax of 7¾ cents (more than doubling the duty) for the act of putting it into the bottle there, where it is so much more skilfully done and contributes so much to the preservation of the wine on it's passage, for many of the cheap wines will not bear transportation in the cask which stand it well enough in the bottle. This is a further proscription of the light wines, and giving the monopoly of our tables to the strong & alcoholic, such as are all but equivalent in their effects to whisky. It would certainly be much more for the health & temperance of society to encourage the use of the weak, rather than the strong wines. 2. cents a quart first cost, & ½ a cent duty would give us wine at 2½ cents the bottle with the addition of freight & other small charges, which is but half the price of grog.

These, dear Sir, are the thoughts which have long dwelt on my mind, and have given me the more concern as I have the more seen of the loathsome and fatal effects of whisky, destroying the fortunes, the bodies, the minds & morals of our citizens. I suggest them only to you, who can turn them to account if just; without meaning to add the trouble of an answer to the overwhelming labors of your office. In all cases accept the assurance of my sincere esteem & high consideration.

TO JOHN ADAMS. J. MSS.

MONTICELLO, November 13, 1818.

The public papers, my dear friend, announce the fatal event of which your letter of October the 20th

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had given me ominous foreboding. Tried myself in the school of affliction, by the loss of every form of connection which can rive the human heart, I know well, and feel what you have lost, what you have suffered, are suffering, and have yet to endure. The same trials have taught me that for ills so immeasurable, time and silence are the only medicine. I will not, therefore, by useless condolences, open afresh the sluices of your grief, nor, although mingling sincerely my tears with yours, will I say a word more where words are vain, but that it is of some comfort to us both, that the term is not very distant, at which we are to deposit in the same cerement, our sorrows and suffering bodies, and to ascend in essence to an ecstatic meeting with the friends we have loved and lost, and whom we shall still love and never lose again. God bless you and support you under your heavy affliction.

TO ALBERT GALLATIN. J. MSS.

MONTICELLO, November 24, 18.

DEAR SIR,—Your letter of July 22 was most acceptable to me, by the distinctness of the view it presented of the state of France. I rejoice in the prospect that that country will so soon recover from the effects of the depression under which it has been laboring; and especially I rejoice in the hope of its enjoying a government as free as perhaps the state of things will yet bear. It appears to me, indeed, that their constitution, as it now is, gives them a legislative branch more equally representative, more independent, and certainly of more integrity, than the corresponding one in England. Time and experience will give what is still wanting, and I hope they will wait patiently for that without hazarding new convulsions.

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Here all is well. The President's message, delivered a few days ago, will have given you a correct view of the state of our affairs. The capture of Pensacola, which furnished so much speculation for European news-writers (who imagine that our political code, like theirs, had no chapter of morality), was nothing here. In the first moment, indeed, there was a general outcry of condemnation of what appeared to be a wrongful aggression. But this was quieted at once by information that it had been taken without orders and would be instantly restored; and although done without orders, yet not without justifiable cause, as we are assured will be satisfactorily shown. This manifestation of the will of our citizens to countenance no injustice towards a foreign nation filled me with comfort as to our future course.

Emigration to the West and South is going on beyond anything imaginable. The President told me lately that the sales of public lands within the last year would amount to ten millions of dollars. There is one only passage in his message which I disapprove, and which I trust will not be approved by our legislature. It is that which proposes to subject the Indians to our laws without their consent. A little patience and a little money are so rapidly producing their voluntary removal across the Mississippi, that I hope this immorality will not be permitted to stain our history. He has certainly been surprised into this proposition, so little in concord with our principles of government.

My strength has been sensibly declining the last few years, and my health greatly broken by an illness of three months, from which I am but now recovering. I have been able to get on horseback within these three or four days, and trust that my convalescence will now be steady. I am to write you a letter on the subject of my friend Cathalan, a very intimate friend of three and thirty years' standing, and a servant of the United States of near forty years. I am aware that his office is coveted by another, and suppose it possible that intrigue may have been employed to get him removed. But I know him too well not to pronounce him incapable of such misconduct as ought to overweigh the long course of his services to the United States. I confess I should feel with great sensibility a disgrace inflicted on him at this period of life. But on this subject I must write to you more fully when

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I shall have more strength, for as yet I sit at the writing table with great pain.

I am obliged to usurp the protection of your cover for my letters—a trouble, however, which will be rare hereafter. My package is rendered more bulky on this occasion by a book I transmit for M. Tracy. It is a translation of his *Economie politique*, which we have made and published here in the hope of advancing our countrymen somewhat in that science; the most profound ignorance of which threatened irreparable disaster during the late war, and by the parasite institutions of banks is now consuming the public industry. The flood with which they are deluging us of nominal money has placed us completely without any certain measure of value, and, by interpolating a false measure, is deceiving and ruining multitudes of our citizens.

I hope your health, as well as Mrs. Gallatin's, continues good, and that whether you serve us there or here, you will long continue to us your services. Their value and their need are fully understood and appreciated. I salute you with constant and affectionate friendship and respect.

TO ROBERT WALSH. J. MSS.

MONTICELLO, December 4, 1818.

DEAR SIR,—Yours of November the 8th has been some time received; but it is in my power to give little satisfaction as to its inquiries. Dr. Franklin had many political enemies, as every character must, which, with decision enough to have opinions, has energy and talent to give them effect on the feelings of the adversary opinion. These enmities were chiefly in Pennsylvania and Massachusetts. In the former, they were merely of the proprietary party. In the latter, they did not commence till the Revolution, and then sprung chiefly from personal animosities, which

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spreading by little and little, became at length of some extent. Dr. Lee was his principal calumniator, a man of much malignity, who, besides enlisting his whole family in the same hostility, was enabled, as the agent of Massachusetts with the British government, to infuse it into that State with considerable effect. Mr. Izard, the Doctor's enemy also, but from a pecuniary transaction, never countenanced these charges against him. Mr. Jay, Silas Deane, Mr. Laurens, his colleagues also, ever maintained towards him unlimited confidence and respect. That he would have waived the formal recognition of our independence, I never heard on any authority worthy notice. As to the fisheries, England was urgent to retain them exclusively, France neutral, and I believe, that had they been ultimately made a *sine quâ non*, our commissioners (Mr. Adams excepted) would have relinquished them, rather than have broken off the treaty. To Mr. Adams' perseverance alone, on that point, I have always understood we were indebted for their reservation. As to the charge of subservience to France, besides the evidence of his friendly colleagues before named, two years of my own service with him at Paris, daily visits, and the most friendly and confidential conversation, convince me it had not a shadow of foundation. He possessed the confidence of that government in the highest degree, insomuch, that it may truly be said, that they were more under his influence, than he under theirs. The fact is, that his temper was so amiable and conciliatory, his conduct so rational, never urging impossibilities, or even

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things unreasonably inconvenient to them, in short, so moderate and attentive to their difficulties, as well as our own, that what his enemies called subserviency, I saw was only that reasonable disposition, which, sensible that advantages are not all to be on one side, yielding what is just and liberal, is the more certain of obtaining liberality and justice. Mutual confidence produces, of course, mutual influence, and this was all which subsisted between Dr. Franklin and the government of France.

I state a few anecdotes of Dr. Franklin,[1] within my

[1] "Our revolutionary process as is well known, commenced by petitions, memorials, remonstrances &c. from the old Congress. These were followed by a non-importation agreement, as a pacific instrument of coercion. While that was before us, and sundry exceptions, as of arms, ammunition &c. were moved from different quarters of the house, I was sitting by Dr. Franklin and observed to him that I thought we should except books: that we ought not to exclude science, even coming from an enemy. He thought so too, and I proposed the exception, which was agreed to. Soon after it occurred that medicine should be excepted, & I suggested that also to the Doctor. 'As to that,' said he 'I will tell you a story. When I was in London, in such a year, there was a weekly club of Physicians, of which St. John Pringle was President, and I was invited by my friend Dr. Fothergill to attend when convenient. Their rule was to propose a thesis one week, and discuss it the next. I happened there when the question to be considered was whether Physicians had, on the whole, done most good or harm? The young members, particularly, having discussed it very learnedly and eloquently till the subject was exhausted, one of them observed to St. John Pringle, that, altho' it was not usual for the President to take part in a debate, yet they were desirous to know his opinion on the question. He said, they must first tell him whether, under the appellation of Physicians, they meant to include old women; if they did, he thought they had done more good than harm, otherwise more harm than good.'

"The confederation of the States, while on the carpet before the old Congress, was strenuously opposed by the smaller states, under apprehensions that they would be swallowed up by the larger ones. We were long engaged in the discussion; it produced great heats, much ill humor, and intemperate declarations from some members. Dr. Franklin at length brought the debate to a close with one of his little apologues. He observed that 'at the time of the Union of England & Scotland, the Duke of Argyle was most violently opposed

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own knowledge, too much in detail for the scale of Delaplaine's work, but which may find *a cadre* in some of the more particular views you contemplate. My health is in a great measure restored, and our family join with me in affectionate recollections and assurances of respect.

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TO NATHANIEL MACON. J. MSS.

MONTICELLO, January 12, 1819.

DEAR SIR,—The problem you had wished to propose to me was one which I could not have solved; for I knew nothing of

to that measure, and among other things predicted that, as the whale had swallowed Jonas, so Scotland would be swallowed by England. However,' said the Doctor, 'when Ld. Bute came into the government, he soon brought into it's administration so many of his countrymen that it was found in event that Jonas swallowed the whale.' This little story produced a general laugh, restored good humor, & the Article of difficulty was passed.

"When Dr. Franklin went to France on his revolutionary mission, his eminence as a philosopher, his venerable appearance, and the cause on which he was sent, rendered him extremely popular. For all ranks and conditions of men there, entered warmly into the American interest. He was therefore feasted and invited to all the court parties. At these he sometimes met the old Duchess of Bourbon, who being a chess player of about his force, they very generally played together. Happening once to put her king into prise, the Doctor took it. 'Ah,' says she, 'we do not take kings so.' 'We do in America,' said the Doctor.

"At one of these parties, the emperor Joseph II, then at Paris, incog. under the title of Count Falkenstein, was overlooking the game, in silence, while the company was engaged in animated conversations on the American question. 'How happens it M. le Comte,' said the Duchess, 'that while we all feel so much interest in the cause of the Americans, you say nothing for them'? 'I am a king by trade,' said he.

"When the Declaration of Independence was under the consideration of Congress, there were two or three unlucky expressions in it which gave offence to some members. The words 'Scotch and other foreign auxiliaries' excited the ire of a gentleman or two of that country. Severe strictures on the conduct of the British king, in negativing our repeated repeals of the law which permitted the importation of slaves, were disapproved by some Southern gentlemen whose reflections were not yet matured to the full abhorrence of that traffic.

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the facts. I read no newspaper now but Ritchie's, and in that chiefly the advertisements, for they contain the only truths to be relied on in a newspaper. I feel a much greater interest in knowing what has passed two or three thousand years ago, than in what is now passing. I read nothing, therefore, but of the heroes of Troy, of the wars of Lacedæmon and Athens, of Pompey and Cæsar, and of Augustus too, the Bonaparte and parricide scoundrel of that day. I have had, and still have, such entire confidence in the late and present Presidents, that I willingly put both soul and body into their pockets. While such men as yourself and your worthy colleagues of the legislature, and such characters

Altho' the offensive expressions were immediately yielded, these gentlemen continued their depredations on other parts of the instrument. I was sitting by Dr. Franklin who perceived that I was not insensible to these mutilations. 'I have made it a rule,' said he, 'whenever in my power, to avoid becoming the draughtsman of papers to be reviewed by a public body. I took my lesson from an incident which I will relate to you. When I was a journeyman printer, one of my companions, an apprentice Hatter, having served out his time, was about to open shop for himself, his first concern was to have a handsome sign-board, with a proper inscription. He composed it in these words 'John Thompson, *Hatter, makes and sells hats for ready money*,' with a figure of a hat subjoined. But he thought he would submit it to his friends for their amendments. The first he shewed it to thought the word 'Hatter' tautologous, because followed by the words 'makes hats' which shew he was a Hatter. It was struck out. The next observed that the word 'makes' might as well be omitted, because his customers would not care who made the hats. If good & to their mind, they would buy by whomsoever made. He struck it out. A third said he thought the words '*for ready money*,' were useless as it was not the custom of the place to sell on credit. Every one who purchased expected to pay. They were parted with, and the inscription now stood 'John Thompson sells hats.' '*sells hats*' says his next friend? 'Why nobody will expect you to give them away. What then is the use of that word?' It was stricken out, and '*hats*' followed it,—the rather as there was one painted on the board. So his inscription was reduced ultimately to 'John Thompson' with the figure of a hat subjoined.

"The Doctor told me, at Paris, the two following anecdotes of Abbe Raynal. He had a party to dine with him one day at Passy of whom one half were Americans, the other half French & among the last was the Abbe. During the dinner he got on his favorite theory of the degeneracy of animals and even of man, in America, and urged it with his usual eloquence. The Doctor at length noticing the accidental stature and positions of his guests, at table, 'Come' says he, 'M. L'Abbe, let us try this question by the fact before us.

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as compose the executive administration, are watching for us all, I slumber without fear, and review in my dreams the visions of antiquity. There is, indeed, one evil which awakens me at times, because it jostles me at every turn. It is that we have now no measure of value. I am asked eighteen dollars for a yard of broadcloth, which, when we had dollars, I used to get for eighteen shillings; from this I can only understand that a dollar is now worth but two inches of broadcloth, but broadcloth is no standard of measure or value. I do not know, therefore, whereabouts I stand in the scale of property, nor what to ask, or what to give for it. I saw, indeed, the like machinery in action in the years '80 and '81, and without dissatisfaction; because in wearing out, it was work-

We are here one half Americans, & one half French, and it happens that the Americans have placed themselves on one side of the table, and our French friends are on the other. Let both parties rise and we will see on which side nature has degenerated.' It happened that his American guests were Carmichael, Harmer, Humphreys and others of the finest stature and form, while those of the other side were remarkably diminutive, and the Abbe himself particularly was a mere shrimp. He parried the appeal however, by a complimentary admission of exceptions, among which the Doctor himself was a conspicuous one.

"The Doctor & Silas Deane were in conversation one day at Passy on the numerous errors in the Abbe's *Histoire des deux Indes*, when he happened to step in. After the usual salutations, Silas Deane said to him 'The Doctor and myself Abbe, were just speaking of the errors of fact into which you have been led in your history.' 'Oh no, Sir,' said the Abbe, 'that is impossible. I took the greatest care not to insert a single fact, for which I had not the most unquestionable authority.' 'Why,' says Deane, 'there is the story of Polly Baker, and the eloquent apology you have put into her mouth, when brought before a court of Massachusetts to suffer punishment under a law, which you cite, for having had a bastard. I know there never was such a law in Massachusetts.' 'Be assured,' said the Abbe, 'you are mistaken, and that that is a true story. I do not immediately recollect indeed the particular information on which I quote it, but I am certain that I had for it unquestionable authority.' Doctor Franklin who had been for some time shaking with restrained laughter at the Abbe's confidence in his authority for that tale, said, 'I will tell you, Abbe, the origin of that story. When I was a printer and editor of a newspaper, we were sometimes slack of news, and to amuse our customers, I used to fill up our vacant columns with anecdotes, and fables, and fancies of my own, and this of Polly Baker is a story of my making, on one of those occasions.' The Abbe without the least disconcert, exclaimed with a laugh, 'Oh, very well, Doctor, I had rather relate your stories than other men's truths.'"

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ing out our salvation. But I see nothing in this renewal of the game of "Robin's alive" but a general demoralization of the nation, a filching from industry its honest earnings, wherewith to build up palaces, and raise gambling stock for swindlers and shavers, who are to close too their career of piracies by fraudulent bankruptcies. My dependence for a remedy, however, is with the wisdom which grows with time and suffering. Whether the succeeding generation is to be more virtuous than their predecessors, I cannot say; but I am sure they will have more worldly wisdom, and enough, I hope, to know that honesty is the first chapter in the book of wisdom. I have made a great exertion to write you thus much; my antipathy to taking up a pen being so intense that I have never given you a stronger proof, than in the effort of writing a letter, how much I value you, and of the superlative respect and friendship with which I salute you.

TO JAMES MONROE. J. MSS.

MONTICELLO, Jan. 18. 19.

You oblige me infinitely, dear Sir, by sending me the Congressional documents in pamphlet form. For as they come out by piece-meal in the newspapers I never read them. And indeed I read no newspapers now but Ritchie's, and in that chiefly the advertisements, as being the only truths we can rely on in a newspaper. But in a pamphlet, where we can go thro' the whole subject when once taken up, and seen in all it's parts, we avoid the risk of false judgment which a partial view endangers. On the subject of these communications, I will venture a suggestion which, should it have occurred to yourself or to Mr. Adams as is probable, will only be a little labor lost. I propose then that you select Mr. Adams's 4. principal letters on the Spanish subject, to wit, that which establishes our right to the Rio-bravo which was laid before the Congress of 1817 .18. His letters to Onis of July 23. & Nov. 30. and to Erving of Nov. 28 perhaps also that of Dec. 2. Have them well translated into French, and send English & French copies to all our ministers at foreign courts, and to our consuls. The paper on our right to the Rio-bravo, and the

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letter to Erving of Nov. 28. are the most important and are among the ablest compositions I have ever seen, both as to logic and style. A selection of these few in pamphlet form will be read by every body; but, by nobody, if buried among Onis's long-winded and tergiversating diatribes, and all the documents; the volume of which alone will deter an European reader from ever opening it. Indeed it would be worth while to have the two most important of these published in the Leyden gazette, from which it would go into the other leading gazettes of Europe. It is of great consequence to us, & merits every possible endeavor, to maintain in Europe a correct opinion of our political morality. These papers will place the event with the world in the important cases of our Western boundary, of our military entrance into Florida, & of the execution of Arbuthnot and Ambrister. On the two first subjects it is very natural for an European to go wrong, and to give into the charge of ambition, which the English papers (read every where) endeavor to fix on us. If the European mind is once set right on these points, they will go with us in all the subsequent proceedings, without further enquiry.

While on the subject of this correspondence, I will presume also to suggest to Mr. Adams the question whether he should not send back Onis's letters in which he has the impudence to qualify you by the term 'his Excellency'? An American gentleman in Europe can rank with the first nobility because we have no titles which stick him at any particular place in their line. So the President of the US. under that designation ranks with Emperors and kings, but add Mr. Onis's courtesy of 'his Excellency' and he is then on a level with Mr. Onis himself, with the Governors of provinces and even of every petty fort in Europe, or the colonies. I salute you with constant affection & respect.

TO BENJAMIN WATERHOUSE. J. MSS.

MONTICELLO, Jan. 31. 19.

DEAR SIR,—Your favor of the 15th was received on the 27th, and I am glad to find the name and character of Samuel Adams coming forward and in so good hands as I suppose them to be.

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But I have to regret that I can add no facts to the stores possessed. I was the youngest man but one in the old Congress, and he the oldest but one, as I believe. His only senior, I suppose, was Stephen Hopkins, of and by whom the honorable mention made in your letter was richly merited. Altho' my high reverence for Samuel Adams was returned by habitual notices from him which highly flattered me, yet the disparity of age prevented intimate and confidential communications. I always considered him as more than any other member the fountain of our important measures. And altho' he was neither an eloquent nor easy speaker, whatever he said was sound, and commanded the profound attention of the House. In the discussions on the floor of Congress he reposed himself on our main pillar in debate Mr. John Adams. These two gentlemen were verily a host in our councils. Comparisons with their associates, Northern or Southern, would answer no profitable purpose, but they would suffer by comparison with none. I salute you with perfect esteem & respect.

TO JAMES MADISON. J. MSS.

MONTICELLO, Mar. 3. 19.

DEAR SIR,—I promised your gardener some seeds which I put under a separate cover and address to you by mail. I also inclose you a letter from Mr. Cabell which will shew you that the 'sour grapes' of Wm. & Mary are spreading; but certainly not to the 'enlightened part of society' as the letter supposes. I have sent him a transcript from our journals that he may see how far we are under engagements to Dr. Cooper. I observe Ritchie imputes to you and myself opinions against Jackson's conduct in the Seminole war. I certainly never doubted that the military entrance into Florida, the temporary occupation of their posts, and the execution of Arbuthnot & Am-

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brister were all justifiable. If I had ever doubted P. Barber's speech would have brought me to rights. I at first felt regret at the execution; but I have ceased to feel [*torn*] on mature reflection, and a belief the example will save much blood. Affectionately yours.

P. S. On my return I fell in with Mr. Watson who signed our proceedings.

TO DOCTOR VINE UTLEY. J. MSS.

MONTICELLO, March 21, 1819

SIR,—Your letter of February the 18th came to hand on the 1st instant; and the request of the history of my physical habits would have puzzled me not a little, had it not been for the model with which you accompanied it, of Doctor Rush's answer to a similar inquiry. I live so much like other people, that I might refer to ordinary life as the history of my own. Like my friend the Doctor, I have lived temperately, eating little animal food, and that not as an aliment, so much as a condiment for the vegetables, which constitute my principal diet. I double, however, the Doctor's glass and a half of wine, and even treble it with a friend; but halve its effects by drinking the weak wines only. The ardent wines I cannot drink, nor do I use ardent spirits in any form. Malt liquors and cider are my table drinks, and my breakfast, like that also of my friend, is of tea and coffee. I have been blest with organs of digestion which accept and concoct, without ever murmuring,

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whatever the palate chooses to consign to them, and I have not yet lost a tooth by age. I was a hard student until I entered on the business of life, the duties of which leave no idle time to those disposed to fulfil them; and now, retired, and at the age of seventy-six, I am again a hard student. Indeed, my fondness for reading and study revolts me from the drudgery of letter writing. And a stiff wrist, the consequence of an early dislocation, makes writing both slow and painful. I am not so regular in my sleep as the Doctor says he was, devoting to it from five to eight hours, according as my company or the book I am reading interests me; and I never go to bed without an hour, or half hour's previous reading of something moral, whereon to ruminate in the intervals of sleep. But whether I retire to bed early or late, I rise with the sun. I use spectacles at night, but not necessarily in the day, unless in reading small print. My hearing is distinct in particular conversation, but confused when several voices cross each other, which unfits me for the society of the table. I have been more fortunate than my friend in the article of health. So free from catarrhs that I have not had one, (in the breast, I mean) on an average of eight or ten years through life. I ascribe this exemption partly to the habit of bathing my feet in cold water every morning, for sixty years past. A fever of more than twenty-four hours I have not had above two or three times in my life. A periodical headache has afflicted me occasionally, once, perhaps, in six or eight years, for two or three weeks at a time, which seems now

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to have left me; and except on a late occasion of indisposition, I enjoy good health; too feeble, indeed, to walk much, but riding without fatigue six or eight miles a day, and sometimes thirty or forty. I may end these egotisms, therefore, as I began, by saying that my life has been so much like that of other people, that I might say with Horace, to every one "*nomine mutato, narratur fabula de te.*" I must not end, however, without due thanks for the kind sentiments of regard you are so good as to express towards myself; and with my acknowledgments for these, be pleased to accept the assurances of my respect and esteem.

TO SAMUEL ADAMS WELLS. J. MSS.

MONTICELLO, May 12, 1819.

SIR,—An absence of some time at an occasional and distant residence must apologize for the delay in acknowledging the receipt of your favor of April 12th. And candor obliges me to add that it has been somewhat extended by an aversion to writing, as well as to calls on my memory for facts so much obliterated from it by time as to lessen my confidence in the traces which seem to remain. One of the inquiries in your letter, however, may be answered without an appeal to the memory. It is that respecting the question whether committees of correspondence originated in Virginia or Massachusetts? On which you suppose me to have claimed it for Virginia. But certainly I have never made such a claim. The idea, I suppose, has been taken up from what is said in Wirt's history of Mr. Henry, p. 87, and from an inexact attention to its precise term. It is there said "this house [of burgesses of Virginia] had the merit of originating that powerful engine of resistance, corresponding committees *between the legislatures* of the *different colonies*." That the fact as here expressed is true, your letter bears witness when it says that

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the resolutions of Virginia for this purpose were transmitted to the speakers of the different Assemblies, and by that of Massachusetts was laid at the next session before that body, who appointed a committee for the specified object: adding, "thus in Massachusetts there were two committees of correspondence, one chosen by the people, the other appointed by the House of Assembly; in the former, Massachusetts preceded Virginia; in the latter, Virginia preceded Massachusetts." To the origination of committees for the interior correspondence between the counties and towns of a State, I know of no claim on the part of Virginia; but certainly none was ever made by myself. I perceive, however, one error into which memory had led me. Our committee for national correspondence was appointed in March, '73, and I well remember that going to Williamsburg in the month of June following, Peyton Randolph, our chairman, told me that messengers, bearing despatches between the two States, had crossed each other by the way; that of Virginia carrying our propositions for a committee of national correspondence, and that of Massachusetts bringing, as my memory suggested, a similar proposition. But here I must have misremembered; and the resolutions brought us from Massachusetts were probably those you mention of the town meeting of Boston, on the motion of Mr. Samuel Adams, appointing a committee "to state the rights of the colonists, and of that province in particular, and the infringements of them, to communicate them to the several towns, as the sense of the town of Boston, and to request of each town a free communication of its sentiments on this subject"? I suppose, therefore, that these resolutions were not received, as you think, while the House of Burgesses was in session in March, 1773; but a few days after we rose, and were probably what was sent by the messenger who crossed ours by the way. They may, however, have been still different. I must therefore have been mistaken in supposing and stating to Mr. Wirt, that the proposition of a committee for national correspondence was nearly simultaneous in Virginia and Massachusetts.

A similar misapprehension of another passage in Mr. Wirt's book, for which I am also quoted, has produced a similar reclamation of the part of Massachusetts by some of her most distin-

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guished and estimable citizens. I had been applied to by Mr. Wirt for such facts respecting Mr. Henry, as my intimacy with him, and participation in the transactions of the day, might have placed within my knowledge. I accordingly committed them to paper, and Virginia being the theatre of his action, was the only subject within my contemplation, while speaking of him. Of the resolutions and measures here, in which he had the acknowledged lead, I used the expression that "Mr. Henry certainly gave the first impulse to the ball of revolution." [Wirt, p. 41.] The expression is indeed general, and in all its extension would comprehend all the sister States. But indulgent construction would restrain it, as was really meant, to the subject matter under contemplation, which was Virginia alone; according to the rule of the lawyers, and a fair canon of general criticism, that every expression should be construed *secundum subjectam materiem*. Where the first attack was made, there must have been of course, the first act of resistance, and that was of Massachusetts. Our first overt act of war was Mr. Henry's embodying a force of militia from several counties, regularly armed and organized, marching them in military array, and making reprisal on the King's treasury at the seat of government for the public powder taken away by his Governor. This was on the last days of April, 1775. Your formal battle of Lexington was ten or twelve days before that, which greatly overshadowed in importance, as it preceded in time our little affray, which merely amounted to a levying of arms against the King, and very possibly you had had military affrays before the regular battle of Lexington.

These explanations will, I hope, assure you, Sir, that so far as either facts or opinions have been truly quoted from me they have never been meant to intercept the just fame of Massachusetts, for the promptitude and perseverance of her early resistance. We willingly cede to her the laud of having been (although not exclusively) "the cradle of sound principles," and if some of us believe she has deflected from them in her course, we retain full confidence in her ultimate return to them.

I will now proceed to your quotation from Mr. Galloway's statements of what passed in Congress on their declaration of independence, in which statement there is not one word of truth,

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and where, bearing some resemblance to truth, it is an entire perversion of it. I do not charge this on Mr. Galloway himself; his desertion having taken place long before these measures, he doubtless received his information from some of the loyal friends whom he left behind him. But as yourself, as well as others, appear embarrassed by inconsistent accounts of the proceedings on that memorable occasion, and as those who have endeavored to restore the truth have themselves committed some errors, I will give you some extracts from a written document on that subject, for the truth of which I pledge myself to heaven and earth; having, while the question of independence was under consideration before Congress, taken written notes, in my seat, of what was passing, and reduced them to form on the final conclusion. I have now before me that paper, from which the following are extracts: * * * [1]

Governor McKean, in his letter to McCorkle of July 16th, 1817, has thrown some lights on the transactions of that day, but trusting to his memory chiefly at an age when our memories are not to be trusted, he has confounded two questions, and ascribed proceedings to one which belonged to the other. These two questions were, 1. The Virginia motion of June 7th to declare independence, and 2. The actual declaration, its matter and form. Thus he states the question on the declaration itself as decided on the 1st of July. But it was the Virginia motion which was voted on that day in committee of the whole; South Carolina, as well as Pennsylvania, then voting against it. But the ultimate decision in *the House* on the report of the committee being by request postponed to the next morning, all the States voted for it, except New York, whose vote was delayed for the reason before stated. It was not till the 2d of July that the declaration itself was taken up, nor till the 4th that it was decided; and it was signed by every member present, except Mr. Dickinson.

The subsequent signatures of members who were not then present, and some of them not yet in office, is easily explained, if we observe who they were; to wit, that they were of New York and Pennsylvania. New York did not sign till the 15th, because

[1] See Vol. I., p. 18, for the document here omitted.

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it was not till the 9th, (five days after the general signature,) that their convention authorized them to do so. The convention of Pennsylvania, learning that it had been signed by a minority only of their delegates, named a new delegation on the 20th, leaving out Mr. Dickinson, who had refused to sign, Willing and Humphreys who had withdrawn, reappointing the three members who had signed, Morris who had not been present, and five new ones, to wit, Rush, Clymer, Smith, Taylor and Ross; and Morris and the five new members were permitted to sign, because it manifested the assent of their full delegation, and the express will of their convention, which might have been doubted on the former signature of a minority only. Why the signature of Thornton of New Hampshire was permitted so late as the 4th of November, I cannot now say; but undoubtedly for some particular reason which we should find to have been good, had it been expressed. These were the only post-signers, and you see, Sir, that there were solid reasons for receiving those of New York and Pennsylvania, and that this circumstance in no wise affects the faith of this declaratory charter of our rights and of the rights of man.

With a view to correct errors of fact before they become inveterate by repetition, I have stated what I find essentially material in my papers; but with that brevity which the labor of writing constrains me to use.

On the fourth particular articles of inquiry in your letter, respecting your grandfather, the venerable Samuel Adams, neither memory nor memorandums enable me to give any information. I can say that he was truly a great man, wise in council, fertile in resources, immovable in his purposes, and had, I think, a greater share than any other member, in advising and directing our measures, in the northern war especially. As a speaker he could not be compared with his living colleague and namesake, whose deep conceptions, nervous style, and undaunted firmness, made him truly our bulwark in debate. But Mr. Samuel Adams, although not of fluent elocution, was so rigorously logical, so clear in his views, abundant in good sense, and master always of his subject, that he commanded the most profound attention whenever he rose in an assembly by which the froth of declamation was heard with the most sovereign contempt. I sincerely rejoice

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that the record of his worth is to be undertaken by one so much disposed as you will be to hand him down fairly to that posterity for whose liberty and happiness he was so zealous a laborer.

With sentiments of sincere veneration for his memory, accept yourself this tribute to it with the assurances of my great respect.

P. S. August 6th, 1822, since the date of this letter, to wit, this day, August 6th, '22, I received the new publication of the secret Journals of Congress, wherein is stated a resolution, July 19th, 1776, that the declaration passed on the 4th be fairly engrossed on parchment, and when engrossed, be signed by every member; and another of August 2d, that being engrossed and compared at the table, was signed by the members. That is to say the copy engrossed on parchment (for durability) was signed by the members after being compared at the table with the original one, signed on paper as before stated. I add this P. S. to the copy of my letter to Mr. Wells, to prevent confounding the signature of the original with that of the copy engrossed on parchment.[1]

[1] Jefferson further wrote to Wells:

MONTICELLO, June 23. 19.

DEAR SIR,—Your favor of the 2d inst. has been duly received, & I answer your request to make use of the information given in mine of May 12 by a free permission, to employ it for any purpose you may think useful. You suppose that the fact that six colonies were not yet matured for a separation from the parent stock could not have been known unless a vote had been taken. Yet nothing easier. For the opinion of every individual was known to every one who had anxiety enough on the subject to scrutinize and calculate. There was neither concealment nor reserve on the subject on either side; and how the vote of each colony would be, if then pushed to a vote was exactly ascertainable. Nor does the appointment of a Committee to prepare an instrument of confederation offer ground of doubt, for that was but a proposition to save time provisionally, and subject to the ultimate negative of the minority. It was moreover a necessary measure in the opinion of all whether permanent, or limited to the duration of the controversy. I certainly will not, on the authority of memory alone affirm facts in opposition to Mr. Galloway, Judge McKean, or any one else. But what I wrote on the paper from which I sent extracts to you, was written on the spot, in the moment, and is true; and all that remains is to reconcile to that the contradictions of others by enquiring whether they may not have confounded different subjects, or whether after such a lapse of time their memory has not been more liable to err than the litera scripta. Galloway can be no better authority than the common herd of passengers in the streets. He knew nothing but the rumors of hearsay; for he had quitted us

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TO RICHARD RUSH. J. MSS.

MONTICELLO, June 22. 19.

DEAR SIR,—Your favor of Mar. 1. has been duly received, and requires my thanks for the kind offer of your services in London. Books are indeed with me a necessary of life; and since I ceded my library to Congress, I have been annually importing from Paris. Not but that I need some from London also, but that they have risen there to such enormous prices as cannot be looked at. England must lose her foreign commerce in books, unless the taxes on it's materials are reduced. Paris now prints the most popular of the English books, and sells them far below the English price. I send there therefore for such of them as I want. We too reprint now such of the new English works as have merit, much cheaper than is done in England, but dearer than they ought to be. But we are now under the operation of the remedy for that. The enormous abuses of the banking system are not only prostrating our commerce, but producing ~~revolution of property~~, which without more wisdom than we possess, ~~will be much~~ greater than were produced by the revolutionary paper. That too had the merit of purchasing our liberties, while the present trash has only furnished aliment to usurers and swindlers. The banks them-

long before. And Mr. McKean was very old, and his memory much decayed when he gave his statement.

The painting lately executed by Colo. Trumbull, I have never seen, but as far back as the days of Horace at least we are told that 'pictoribus atque poetis; Quidlibet audendi semper fuit aequa potestas.' He has exercised this licentia pictoris in like manner in the surrender of York, where he has placed Ld. Cornwallis at the head of the surrender altho' it is well known that he was excused by General Washington from appearing.

Of the return of Massachusetts to sound principles I never had a doubt. The body of her citizens has never been otherwise than republican. Her would-be dukes and lords, indeed, have been itching for coronets; her lawyers for robes of ermin, her priests for lawn sleeves, and for a religious establishment which might give them wealth, power, and independence of personal merit. But her citizens who were to supply with the sweat of their brow the treasures on which these drones were to riot, could never have seen any thing to long for in the oppressions and pauperism of England. After the shackles of Aristocracy of the bar & priesthood have been burst by Connecticut, we cannot doubt the return of Massachusetts to the bosom of the republican family.

I repeat with pleasure the assurance of my great respect & esteem.

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selves were doing business on capitals, three fourths of which were fictitious: and, to extend their profit they furnished fictitious capital to every man, who having nothing and disliking the labours of the plough, chose rather to call himself a merchant to set up a house of 5000. D. a year expence, to dash into every species of mercantile gambling, and if that ended as gambling generally does, a fraudulent bankruptcy was an ultimate resource of retirement and competence. This fictitious capital, probably of 100. millions of Dollars, is now to be lost, & to fall on some body; it must take on those who have property to meet it, & probably on the less cautious part, who, not aware of the impending catastrophe have suffered themselves to contract, or to be in debt, and must now sacrifice their property of a value many times the amount of their debt. We have been truly sowing the wind, and are now reaping the whirlwind. If the present crisis should end in the annihilation of these pennyless & ephemeral interlopers only, and reduce our commerce to the measure of our own wants and surplus productions, it will be a benefit in the end. But how to effect this, and give time to real capital, and the holders of real property, to back out of their entanglements by degrees requires more knolege of Political economy than we possess. I believe it might be done, but I despair of it's being done. The eyes of our citizens are not yet sufficiently open to the true cause of our distresses. They ascribe them to every thing but their true cause, the banking system; a system, which, if it could do good in any form, is yet so certain of leading to abuse, as to be utterly incompatible with the public safety and prosperity. At present all is confusion, uncertainty and panic.

I avail myself of your kindness to put under the protection of your cover a letter to St. John Philippart, who requested it might be sent through your channel, and I salute you with affectionate esteem and respect.

TO WILLIAM WIRT. J. MSS.

MONTICELLO June 27. 19.

DEAR SIR,—My letters of Jan. 5 and Nov. 10. of the last year had informed you generally that Genl. Kosciuzko had left a con-

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siderable sum of money in the hands of the US. and had, by a will deposited in my hands, disposed of it to a charitable purpose: & I asked the favor of your opinion in what court the will should be proved. According to that opinion, expressed in your favor of Dec. 28 I proved the will in our district court, renouncing the executorship. The purport of the will is that the whole funds in this country shall be laid out in the purchase of young negroes, in their education & their emancipation. I had formerly intended to get an admr appointed here with the will annexed, and to have the trust placed entirely under the direction of the court, but circumstances since occurring change my view of the case. Genl. Armstrong, on behalf of his son Kosciuzko Armstrong has a claim to 3704. D. which is well founded. A Mr. Zoeltner of Solense the friend in whose house Kosciuzko lived and died, claims the share under a will deposited with him. This I am persuaded will appear not to reach the property here. A relation of the General's has lately, through the minister of Russia, Mr. Poletika, claimed the whole also in right of his relationship. These claimants being all foreigners, or of another state, have a right to place the litigation in a federal court; and I have supposed the most convenient one to them would be the district court of Columbia, and my wish is to transfer it there, if that court will take cognisance and charge of it. I suppose they would name an Admr with the will annexed, and that he would require the claimant to interplead, that the court might decide the right. I wish therefore in the first place to constitute you general Counsel for the trust. You would draw your compensation of course from the funds of the testator, and that you would advise me in what form I must apply to the court to effect the transfer. I suppose by a petition to them in Chancery, delivering to them the will, and the original certificates, which are in my hands, and amount to 17,159.63 D. and praying to be entirely relieved and discharged from all further concern or responsibility. Mr. Barnes, who has been the agent in fact, will settle his account of transactions during the life of the General. I have none to settle, having never acted but thro' Mr. Barnes, and not meaning to charge little incidental disbursements incurred. Will you undertake this, my dear Sir, and inform me how I am to proceed? I shall be at

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Poplar Forest near Lynchburg before you receive this, and shal be there 3. months. But your answer will reach me there, and I mention it only to explain beforehand the greater delays in the correspondence which the greater distance of that place may occasion. In the hope therefore of hearing from you as soon as convenient, and of your aid in getting relief from this charge, now become too litigious for me, I salute you with constant friendship and respect.

TO JOHN ADAMS.

MONTICELLO, July 9, 1819.

DEAR SIR,—I am in debt to you for your letters of May the 21st, 27th, and June the 22d. The first, delivered me by Mr. Greenwood, gave me the gratification of his acquaintance; and a gratification it always is, to be made acquainted with gentlemen of candor, worth, and information, as I found Mr. Greenwood to be. That, on the subject of Mr. Samuel Adams Wells, shall not be forgotten in time and place, when it can be used to his advantage.

But what has attracted my peculiar notice, is the paper from Mecklenburg county, of North Carolina, published in the Essex Register, which you were so kind as to enclose in your last, of June the 22d. And you seem to think it genuine. I believe it spurious. I deem it to be a very unjustifiable quiz, like that of the volcano, so minutely related to us as having broken out in North Carolina, some half a dozen years ago, in that part of the country, and perhaps in that very county of Mecklenburg, for I do not remember its precise locality. If this paper be really taken from the Raleigh Register, as quoted, I wonder

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it should have escaped Ritchie, who culls what is good from every paper, as the bee from every flower; and the National Intelligencer, too, which is edited by a North Carolinian; and that the fire should blaze out all at once in Essex, one thousand miles from where the spark is said to have fallen. But if really taken from the Raleigh Register, who is the narrator, and is the name subscribed real, or is it as fictitious as the paper itself? It appeals, too, to an original book, which is burnt, to Mr. Alexander, who is dead, to a joint letter from Caswell, Hughes, and Hooper, all dead, to a copy sent to the dead Caswell, and another sent to Doctor Williamson, now probably dead, whose memory did not recollect, in the history he has written of North Carolina, this gigantic step of its county of Mecklenburg. Horry, too, is silent in his history of Marion, whose scene of action was the country bordering on Mecklenburg. Ramsay, Marshall, Jones, Girardin, Wirt, historians of the adjacent States, all silent. When Mr. Henry's resolutions, far short of independence, flew like lightning through every paper, and kindled both sides of the Atlantic, this flaming declaration of the same date, of the independence of Mecklenburg county, of North Carolina, absolving it from the British allegiance, and abjuring all political connection with that nation, although sent to Congress too, is never heard of. It is not known even a twelvemonth after, when a similar proposition is first made in that body. Armed with this bold example, would not you have addressed our timid brethren in peals of thunder on their tardy

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fears? Would not every advocate of independence have rung the glories of Mecklenburg county in North Carolina, in the ears of the doubting Dickinson and others, who hung so heavily on us? Yet the example of independent Mecklenburg county, in North Carolina, was never once quoted. The paper speaks, too, of the continued exertions of their delegation (Caswell, Hooper, Hughes) "in the cause of liberty and independence." Now you remember as well as I do, that we had not a greater tory in Congress than Hooper; that Hughes was very wavering, sometimes firm, sometimes feeble, according as the day was clear or cloudy; that Caswell, indeed, was a good whig, and kept these gentlemen to the notch, while he was present; but that he left us soon, and their line of conduct became then uncertain until Penn came, who fixed Hughes and the vote of the State. I must not be understood as suggesting any doubtfulness in the State of North Carolina. No State was more fixed or forward. Nor do I affirm, positively, that this paper is a fabrication; because the proof of a negative can only be presumptive. But I shall believe it such until positive and solemn proof of its authenticity be produced. And if the name of McKnitt be real, and not a part of the fabrication, it needs a vindication by the production of such proof. For the present, I must be an unbeliever in the apocryphal gospel.

I am glad to learn that Mr. Ticknor has safely returned to his friends; but should have been much more pleased had he accepted the Professorship in

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our University, which we should have offered him in form. Mr. Bowditch, too, refuses us; so fascinating is the *vinculum* of the *dulce natale solum.* Our wish is to procure natives, where they can be found, like these gentlemen, of the first order of requirement in their respective lines; but preferring foreigners of the first order to natives of the second, we shall certainly have to go for several of our Professors, to countries more advanced in science than we are.

I set out within three or four days for my other home, the distance of which, and its cross mails, are great impediments to epistolary communications. I shall remain there about two months; and there, here, and everywhere, I am and shall always be, affectionately and respectfully yours.

TO JOSEPH MARX. J. MSS.

POPLAR FOREST NEAR LYNCHBURG
Aug. 24, 19.

SIR,—I inclose you a renewal of the two notes of 10,000 D. each for which I am by endorsement responsible to the US. bank, for Colo. W. C. Nicholas. I do this on his information that it will be received as sufficient for 60 days within which term I will execute a bond jointly with him for the amount of these notes, with a third person made acceptable to the bank. In seeking for a 3d name my reluctance at placing any friend in the state of uneasiness in which this responsibility would place him, is insuperable. I greatly prefer therefore what I am told will be acceptable to the bank, to make a 3d name competent by a conveyance of real property abundantly sufficient to cover the debt. My grandson Thos J. Randolph is the person whom I should chuse with the least scruple in this business and I will accordingly convey lands amply sufficient for this debt, to him in trust

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for it's payment, & as a special security to the bank, applicable to no other purpose; while this makes him sufficient as a security, all the rest of my property is responsible for the same debt, on the ground of my being separately bound. That it is sufficient for many times this amount is probably known, and I assure you on my honor that not a dollar's worth of it is under incumbrance to any mortal or for any purpose. You shall receive the bond and a copy of the deed immediately after my return to Monticello, which will be within 3. or 4. weeks. Accept the assurance of my great respect and esteem.

TO JUDGE SPENCER ROANE. J. MSS.

POPLAR FOREST, September 6, 1819.

DEAR SIR,—I had read in the Enquirer, and with great approbation, the pieces signed Hampden, and have read them again with redoubled approbation, in the copies you have been so kind as to send me. I subscribe to every tittle of them. They contain the true principles of the revolution of 1800, for that was as real a revolution in the principles of our government as that of 1776 was in its form; not effected indeed by the sword, as that, but by the rational and peaceable instrument of reform, the suffrage of the people. The nation declared its will by dismissing functionaries of one principle, and electing those of another, in the two branches, executive and legislative, submitted to their election. Over the judiciary department, the constitution had deprived them of their control. That, therefore, has continued the reprobated system, and although new matter has been occasionally incorporated into the old, yet the leaven of the old mass seems to assimilate to itself the new, and after twenty years' confirmation of the federal system by the voice of the nation, declared through the medium of elections, we find the judiciary on every occasion, still driving us into consolidation.

In denying the right they usurp of exclusively explaining the constitution, I go further than you do, if I understand rightly your quotation from the Federalist, of an opinion that "the judiciary is the last resort in relation *to the other departments* of the government, but not in relation to the rights of the parties to

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OF CALIFORNIA

the compact under which the judiciary is derived." If this opinion be sound, then indeed is our constitution a complete *felo de se.* For intending to establish three departments, co-ordinate and independent, that they might check and balance one another, it has given, according to this opinion, to one of them alone, the right to prescribe rules for the government of the others, and to that one too, which is unelected by, and independent of the nation. For experience has already shown that the impeachment it has provided is not even a scare-crow; that such opinions as the one you combat, sent cautiously out, as you observe also, by detachment, not belonging to the case often, but sought for out of it, as if to rally the public opinion beforehand to their views, and to indicate the line they are to walk in, have been so quietly passed over as never to have excited animadversion, even in a speech of any one of the body entrusted with impeachment. The constitution, on this hypothesis, is a mere thing of wax in the hands of the judiciary, which they may twist and shape into any form they please. It should be remembered, as an axiom of eternal truth in politics, that whatever power in any government is independent, is absolute also; in theory only, at first, while the spirit of the people is up, but in practice, as fast as that relaxes. Independence can be trusted nowhere but ~~with the people in~~ mass. They are inherently independent of all but moral law. My construction of the constitution is very different from that you quote. It is that each department is truly independent of the others, and has an equal right to decide for itself what is the meaning of the constitution in the cases submitted to its action; and especially, where it is to act ultimately and without appeal. I will explain myself by examples, which, having occurred while I was in office, are better known to me, and the principles which governed them.

A legislature had passed the sedition law. The federal courts had subjected certain individuals to its penalties of fine and imprisonment. On coming into office, I released these individuals by the power of pardon committed to executive discretion, which could never be more properly exercised than where citizens were suffering without the authority of law, or, which was equivalent, under a law unauthorized by the constitution, and therefore null.

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In the case of Marbury and Madison, the federal judges declared that commissions, signed and sealed by the President, were valid, although not delivered. I deemed delivery essential to complete a deed, which, as long as it remains in the hands of the party, is as yet no deed, it is in *posse* only, but not in *esse*, and I withheld delivery of the commissions. They cannot issue a mandamus to the President or legislature, or to any of their officers.[1] When the British treaty of —— arrived, without any provision against the impressment of our seamen, I determined not to ratify it. The Senate thought I should ask their advice. I thought that would be a mockery of them, when I was predetermined against following it, should they advise its ratification. The constitution had made their advice necessary to confirm a treaty, but not to reject it. This has been blamed by some; but I have never doubted its soundness. In the cases of two persons, *antenati*, under exactly similar circumstances, the federal court had determined that one of them (Duane) was not a citizen; the House of Representatives nevertheless determined that the other (Smith, of South Carolina) was a citizen, and admitted him to his seat in their body. Duane was a republican, and Smith a federalist, and these decisions were made during the federal ascendancy.

These are examples of my position, that each of the three departments has equally the right to decide for itself what is its duty under the constitution, without any regard to what the others may have decided for themselves under a similar question. But you intimate a wish that my opinion should be known on this subject. No, dear Sir, I withdraw from all contests of opinion, and resign everything cheerfully to the generation now in place. They are wiser than we were, and their successors will be wiser than they, from the progressive advance of science. Tranquillity is the *summum bonum* of age. I wish, therefore, to offend no man's opinion, nor to draw disquieting animadversions on my own. While duty required it, I met opposition with a firm and fearless step. But loving mankind in my individual relations with them, I pray to be permitted to depart in their peace; and like the superannuated soldier, "*quadragenis stipendiis emeritis*," to hang

[1] The constitution controlling the common law in this particular,—T. J.

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my arms on the post. I have unwisely, I fear, embarked in an enterprise of great public concern, but not to be accomplished within my term, without their liberal and prompt support. A severe illness the last year, and another from which I am just emerged, admonish me that repetitions may be expected, against which a declining frame cannot long bear up. I am anxious, therefore, to get our University so far advanced as may encourage the public to persevere to its final accomplishment. That secured, I shall sing my *nunc demittas*. I hope your labors will be long continued in the spirit in which they have always been exercised, in maintenance of those principles on which I verily believe the future happiness of our country essentially depends. I salute you with affectionate and great respect.

TO WILLIAM SHORT. J. MSS.

MONTICELLO, October 31, 1819.

DEAR SIR,—Your favor of the 21st is received. My late illness, in which you are so kind as to feel an interest, was produced by a spasmodic stricture of the ilium, which came upon me on the 7th inst. The crisis was short, passed over favorably on the fourth day, and I should soon have been well but that a dose of calomel and jalap, in which were only eight or nine grains of the former, brought on a salivation. Of this, however, nothing now remains but a little soreness of the mouth. I have been able to get on horseback for three or four days past.

As you say of yourself, I too am an Epicurian. I consider the genuine (not the imputed) doctrines of Epicurus as containing everything rational in moral philosophy which Greece and Rome have left us. Epictetus indeed, has given us what was good of the stoics; all beyond, of their dogmas, being hypocrisy and grimace. Their great crime was in their calumnies of Epicurus and misrepresentations of his doctrines; in which we lament to see the candid character of Cicero engaging as an accomplice. Diffuse, vapid, rhetorical, but enchanting. His prototype Plato, eloquent as himself, dealing out mysticisms incomprehensible to the human mind, has been deified by certain sects usurping the name of

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Christians; because, in his foggy conceptions, they found a basis of impenetrable darkness whereon to rear fabrications as delirious, of their own invention. These they fathered blasphemously on him whom they claimed as their founder, but who would disclaim them with the indignation which their caricatures of his religion so justly excite. Of Socrates we have nothing genuine but in the Memorabilia of Xenophon; for Plato makes him one of his Collocutors merely to cover his own whimsies under the mantle of his name; a liberty of which we are told Socrates himself complained. Seneca is indeed a fine moralist, disfiguring his work at times with some Stoicisms, and affecting too much of antithesis and point, yet giving us on the whole a great deal of sound and practical morality. But the greatest of all the reformers of the depraved religion of his own country, was Jesus of Nazareth. Abstracting what is really his from the rubbish in which it is buried, easily distinguished by its lustre from the dross of his biographers, and as separable from that as the diamond from the dunghill, we have the outlines of a system of the most sublime morality which has ever fallen from the lips of man; outlines which it is lamentable he did not live to fill up. Epictetus and Epicurus give laws for governing ourselves, Jesus a supplement of the duties and charities we owe to others. The establishment of the innocent and genuine character of this benevolent moralist, and the rescuing it from the imputation of imposture, which has resulted from artificial systems,[1] invented by ultra-Christian sects, unauthorized by a single word ever uttered by him, is a most desirable object, and one to which Priestley has successfully devoted his labors and learning. It would in time, it is to be hoped, effect a quiet euthanasia of the heresies of bigotry and fanaticism which have so long triumphed over human reason, and so generally and deeply afflicted mankind; but this work is to be begun by winnowing the grain from the chaff of the historians of his life. I have sometimes thought of translating Epictetus (for he has never been tolerable translated into English) by adding the genuine doctrines of Epicurus from

[1] *e. g.* The immaculate conception of Jesus, his deification, the creation of the world by him, his miraculous powers, his resurrection and visible ascension, his corporeal presence in the Eucharist, the Trinity; original sin, atonement, regeneration, election, orders of Hierarchy, &c.—T. J.

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the Syntagma of Gassendi, and an abstract from the Evangelists of whatever has the stamp of the eloquence and fine imagination of Jesus. The last I attempted too hastily some twelve or fifteen years ago. It was the work of two or three nights only, at Washington, after getting through the evening task of reading the letters and papers of the day. But with one foot in the grave, these are now idle projects for me. My business is to beguile the wearisomeness of declining life, as I endeavor to do, by the delights of classical reading and of mathematical truths, and by the consolations of a sound philosophy, equally indifferent to hope and fear.

I take the liberty of observing that you are not a true disciple of our master Epicurus, in indulging the indolence to which you say you are yielding. One of his canons, you know, was that "the indulgence which prevents a greater pleasure, or produces a greater pain, is to be avoided." Your love of repose will lead, in its progress, to a suspension of healthy exercise, a relaxation of mind, an indifference to everything around you, and finally to a debility of body, and hebetude of mind, the farthest of all things from the happiness which the well-regulated indulgences of Epicurus ensure; fortitude, you know, is one of his four cardinal virtues. That teaches us to meet and surmount difficulties; not to fly from them, like cowards; and to fly, too, in vain, for they will meet and arrest us at every turn of our road. Weigh this matter well; brace yourself up; take a seat with Correa, and come and see the finest portion of your country, which, if you have not forgotten, you still do not know, because it is no longer the same as when you knew it. It will add much to the happiness of my recovery to be able to receive Correa and yourself, and prove the estimation in which I hold you both. Come, too, and see our incipient University, which has advanced with great activity this year. By the end of the next, we shall have elegant accommodations for seven professors, and the year following the professors themselves. No secondary character will be received among them. Either the ablest which America or Europe can furnish, or none at all. They will give us the selected society of a great city separated from the dissipations and levities of its ephemeral insects.

I am glad the bust of Condorcet has been saved and so well

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placed. His genius should be before us; while the lamentable, but singular act of ingratitude which tarnished his latter days, may be thrown behind us.

I will place under this a syllabus of the doctrines of Epicurus,[1] somewhat in the lapidary style, which I wrote some twenty years ago, a like one of the philosophy of Jesus, of nearly the same age, is too long to be copied. *Vale, et tibi persuade carissimum te esse mihi.*

TO JOHN ADAMS. J. MSS.

MONTICELLO, November 7, 1819.

DEAR SIR,—Three long and dangerous illnesses within the last twelve months, must apologize for my long silence towards you.

[1] *Syllabus of the doctrines of Epicurus.*

Physical.—The Universe eternal.

Its parts, great and small, interchangeable.

Matter and Void alone.

Motion inherent in matter which is weighty and declining.

Eternal circulation of the elements of bodies.

Gods, an order of beings next superior to man, enjoying in their sphere, their own felicities; but not meddling with the concerns of the scale of beings below them.

Moral.—Happiness the aim of life.

Virtue the foundation of happiness.

Utility the test of virtue.

Pleasure active and In-do-lent.

In-do-lence is the absence of pain, the true felicity.

Active, consists in agreeable motion; it is not happiness, but the means to produce it.

Thus the absence of hunger is an article of felicity; eating the means to obtain it.

The *summum bonum* is to be not pained in body, nor troubled in mind.

i. e. In-do-lence of body, tranquillity of mind.

To procure tranquillity of mind we must avoid desire and fear, the two principal diseases of the mind.

Man is a free agent.

Virtue consists in 1. Prudence. 2. Temperance. 3. Fortitude. 4. Justice.

To which are opposed, 1. Folly. 2. Desire. 3. Fear. 4. Deceit.

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The paper bubble is then burst. This is what you and I, and every reasoning man, seduced by no obliquity of mind or interest, have long foreseen; yet its disastrous effects are not the less for having been foreseen. We were laboring under a dropsical fulness of circulating medium. Nearly all of it is now called in by the banks, who have the regulation of the safety-valves of our fortunes, and who condense and explode them at their will. Lands in this State cannot now be sold for a year's rent; and unless our Legislature have wisdom enough to effect a remedy by a gradual diminution only of the medium, there will be a general revolution of property in this State. Over our own paper and that of other States coming among us, they have competent powers; over that of the bank of the United States there is doubt, not here, but elsewhere. That bank will probably conform voluntarily to such regulations as the Legislature may prescribe for the others. If they do not, we must shut their doors, and join the other States which deny the right of Congress to establish banks, and solicit them to agree to some mode of settling this constitutional question. They have themselves twice decided against their right, and twice for it. Many of the States have been uniform in denying it, and between such parties the Constitution has provided no umpire. I do not know particularly the extent of this distress in the other States; but southwardly and westwardly I believe all are involved in it. God bless you, and preserve you many years.

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TO JOHN NICHOLAS. J. MSS.

MONTICELLO, November 10, 1819.

SIR,—Your letter, and the draught of a memorial proposed to be presented to the Legislature, are duly received. With respect to impressions from any differences of political opinion, whether major or minor, alluded to in your letter, I have none. I left them all behind me on quitting Washington, where alone the state of things had, till then, required some attention to them. Nor was that the lightest part of the load I was there disburthened of; and could I permit myself to believe that with the change of circumstances a corresponding change had taken place in the minds of those who differed from me, and that I now stand in the peace and good will of my fellow-citizens generally, it would indeed be a sweetening ingredient in the last dregs of my life. It is not then from that source that my testimony may be scanty, but from a decaying memory, illy retaining things of recent transaction, and scarcely with any distinctness those of forty years back, the period to which your memorial refers: general impressions of them remain, but details are mostly obliterated.

Of the transfer of your corps from the general to the State line, and the other facts in the memorial preceding my entrance on the administration of the State government, June 2, 1779, I, of course, have no knowledge; but public documents, as well as living witnesses, will probably supply this. In 1780, I remember your appointment to a command in the militia sent under General Stevens to the aid of the Carolinas, of which fact the commission signed by myself is sufficient proof. But I have no particular recollections which respect yourself personally in that service. Of what took place during Arnold's invasion in the subsequent winter I have more knowledge, because so much passed under my own eye, and I have the benefit of some notes to aid my memory. In the short interval of fifty-seven hours between our knowing they had entered James river and their actual debarkation at Westover, we could get together but a small body of militia, (my notes say of three hundred men only,) chiefly from the city and its immediate vicinities. You were placed in the command of these, and ordered to proceed to the neighborhood of the enemy, not with any view to face them directly with so small a force, but

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to hang on their skirts, and to check their march as much as could be done, to give time for the more distant militia to assemble. The enemy were not to be delayed, however, and were in Richmond in twenty-four hours from their being formed on shore at Westover. The day before their arrival at Richmond, I had sent my family to Tuckahoe, as the memorial states, at which place I joined them about 1 o'clock of that night, having attended late at Westham, to have the public stores and papers thrown across the river. You came up to us at Tuckahoe the next morning, and accompanied me, I think, to Britton's opposite Westham, to see about the further safety of the arms and other property. Whether you stayed there to look after them, or went with me to the heights of Manchester, and returned thence to Britton's, I do not recollect. The enemy evacuated Richmond at noon on the 5th of January, having remained there but twenty-three hours. I returned to it in the morning of the 8th, they being still encamped at Westover and Berkley, and yourself and corps at the Forest. They re-embarked at 1 o'clock of the 10th. The particulars of your movements down the river, to oppose their re-landing at different points, I do not specifically recollect, but, as stated in the memorial, they are so much in agreement with my general impressions, that I have no doubt of their correctness, and I know that your conduct from the first advance of the enemy to his departure, was approved by myself and by others generally. The rendezvous of the militia at the Tuckahoe bridge, and your having the command of them, I think I also remember, but nothing of their subsequent movements. The legislature had adjourned to meet at Charlottesville, where, at the expiration of my second year, I declined a re-election in the belief that a military man would be more likely to render services adequate to the exigencies of the times. Of the subsequent facts, therefore, stated in the memorial, I have no knowledge.

This, Sir, is the sum of the information I am able to give on the subjects of your memorial, and if it may contribute to the purposes of justice in your case, I shall be happy that in bearing testimony to the truth, I shall have rendered you a just service I return the memorial and commission, as requested, and pray you to accept my respectful salutations.

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TO WILLIAM C. RIVES. J. MSS.

MONTICELLO, November 28, 1819.

DEAR SIR,—The distresses of our country, produced first by the flood, then by the ebb of bank paper, are such as cannot fail to engage the interposition of the legislature. Many propositions will, of course, be offered, from all of which something may probably be culled to make a good whole. I explained to you my project, when I had the pleasure of possessing you here; and I now send its outline in writing, as I believe I promised you. Although preferable things will I hope be offered, yet some twig of this may perhaps be thought worthy of being engrafted on a better stock. But I send it with no particular object or request, but to use it as you please. Suppress it, suggest it, sound opinions, or anything else, at will, only keeping my name unmentioned, for which purpose it is copied in another hand, being ever solicitous to avoid all offence which is heavily felt, when retired from the bustle and contentions of the world. If we suffer the moral of the present lesson to pass away without improvement by the eternal suppression of bank *paper*, then indeed is the condition of our country desperate, until the slow advance of public instruction shall give to our functionaries the wisdom of their station. *Vale, et tibi persuade carissimum te mihi esse.*[1]

[1] *Plan for reducing the circulating medium.*

The plethory of circulating medium which raised the prices of everything to several times their ordinary and standard value, in which state of things many and heavy debts were contracted; and the sudden withdrawing too great a proportion of that medium, and reduction of prices far below that standard, constitutes the disease under which we are now laboring, and which must end in a general revolution of property, if some remedy is not applied. That remedy is clearly a gradual reduction of the medium to its standard level, that is to say, to the level which a metallic medium will always find for itself, so as to be in equilibro with that of the nations with which we have commerce.

To effect this,

Let the whole of the present paper medium be suspended in its circulation after a certain and not distant day.

Ascertain by proper inquiry the greatest sum of it which has at any one time been in actual circulation.

Take a certain term of years for its gradual reduction, suppose it to be five years; then let the solvent banks issue $\frac{1}{5}$ of that amount in new notes, to be at-

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TO JOHN ADAMS. J. MSS.

MONTICELLO, December 10, 1819.

DEAR SIR,—I have to acknowledge the receipt of your favor of November the 23d. The banks, bank-

tested by a public officer, as a security that neither more or less is issued, and to be given out in exchange for the suspended notes, and the surplus in discount.

Let ⅕th of these notes bear on their face that the bank will discharge them with specie at the end of one year; another 5th at the end of two years; a third 5th at the end of three years; and so of the 4th and 5th. They will be sure to be brought in at their respective periods of redemption.

Make it a high offence to receive or pass within this State a note of any other.

There is little doubt that our banks will agree readily to this operation; if they refuse, declare their charters forfeited by their former irregularities, and give summary process against them for the suspended notes.

The Bank of the United States will probably concur also; if not, shut their doors and join the other States in respectful, but firm applications to Congress, to concur in constituting a tribunal (a special convention, *e. g.*) for settling amicably the question of their right to institute a bank, and that also of the States to do the same.

A stay-law for the suspension of executions, and their discharge at five annual instalments, should be accommodated to these measures.

Interdict forever, to both the State and national governments, the power of establishing any paper bank; for without this interdiction, we shall have the same ebbs and flows of medium, and the same revolutions of property to go through every twenty or thirty years.

In this way the value of property, keeping pace nearly with the sum of circulating medium, will descend gradually to its proper level, at the rate of about ⅕ every year, the sacrifices of what shall be sold for payment of the first instalments of debts will be moderate, and time will be given for economy and industry to come in aid of those subsequent. Certainly no nation ever before abandoned to the avarice and jugglings of private individuals to regulate, according to their own interests, the quantum of circulating medium for the nation, to inflate, by deluges of paper, the nominal prices of property, and then to buy up that property at 1s. in the pound, having first withdrawn the floating medium which might endanger a competition in purchase. Yet this is what has been done, and will be done, unless stayed by the protecting hand of the legislature. The evil has been produced by the error of their sanction of this ruinous machinery of banks; and justice, wisdom, duty, all require that they should interpose and arrest it before the schemes of plunder and spoliation desolate the country. It is believed that Harpies are already hoarding their money to commence these scenes on the separation of the legislature; and we know that lands have been already sold under the hammer for less than a year's rent.

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rupt law, manufactures, Spanish treaty, are nothing. These are occurrences which, like waves in a storm, will pass under the ship. But the Missouri question is a breaker on which we lose the Missouri country by revolt, and what more, God only knows. From the battle of Bunker's Hill to the treaty of Paris, we never had so ominous a question. It even damps the joy with which I hear of your high health, and welcomes to me the consequences of my want of it. I thank God that I shall not live to witness its issue. *Sed hæc hactenus.*

I have been amusing myself latterly with reading the voluminous letters of Cicero. They certainly breathe the purest effusions of an exalted patriot, while the parricide Cæsar is lost in odious contrast. When the enthusiasm, however, kindled by Cicero's pen and principles, subsides into cool reflection, I ask myself, what was that government which the virtues of Cicero were so zealous to restore, and the ambition of Cæsar to subvert? And if Cæsar had been as virtuous as he was daring and sagacious, what could he, even in the plenitude of his usurped power, have done to lead his fellow citizens into good government? I do not say to *restore it*, because they never had it, from the rape of the Sabines to the ravages of the Cæsars. If their people indeed had been, like ourselves, enlightened, peaceable, and really free, the answer would be obvious. "Restore independence to all your foreign conquests, relieve Italy from the government of the rabble of Rome, consult it as a nation entitled to self-government, and do its will."

John Adams 12/10/1819

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But steeped in corruption, vice and venality, as the whole nation was, (and nobody had done more than Cæsar to corrupt it,) what could even Cicero, Cato, Brutus have done, had it been referred to them to establish a good government for their country? They had no ideas of government themselves, but of their degenerate Senate, nor the people of liberty, but of the factious opposition of their Tribunes. They had afterwards their Tituses, their Trajans and Antoninuses, who had the will to make them happy, and the power to mould their government into a good and permanent form. But it would seem as if they could not see their way clearly to do it. No government can continue good, but under the control of the people; and their people were so demoralized and depraved, as to be incapable of exercising a wholesome control. Their reformation then was to be taken up *ab incunabulis*. Their minds were to be informed by education what is right and what wrong; to be encouraged in habits of virtue, and deterred from those of vice by the dread of punishments, proportioned indeed, but irremissible; in all cases, to follow truth as the only safe guide, and to eschew error, which bewilders us in one false consequence after another, in endless succession. These are the inculcations necessary to render the people a sure basis for the structure of order and good government. But this would have been an operation of a generation or two, at least, within which period would have succeeded many Neros and Commoduses, who would have quashed the whole process. I confess then, I can neither see

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what Cicero, Cato, and Brutus, united and uncontrolled, could have devised to lead their people into good government, nor how this enigma can be solved, nor how further shown why it has been the fate of that delightful country never to have known, to this day, and through a course of five and twenty hundred years, the history of which we possess, one single day of free and rational government. Your intimacy with their history, ancient, middle and modern, your familiarity with the improvements in the science of government at this time, will enable you, if any body, to go back with our principles and opinions to the times of Cicero, Cato, and Brutus, and tell us by what process these great and virtuous men could have led so unenlightened and vitiated a people into freedom and good government, *et eris mihi magnus Apollo. Cura ut valeas, et tibi persuadeas carissimum te mihi esse.*

TO JOSEPH C. CABELL. J. MSS.

MONTICELLO, Jan. 22. 20.

DEAR SIR,—I send you the inclosed as an exhibit to our enemies as well as friends. Kentucky, our daughter, planted since Virginia was a distinguished state, has an University, with 14. professors & upwards of 200 students. While we, with a fund of a million & a half of Dollars ready raised and appropriated, are higgling without the heart to let it go to it's use. If our legislature does not heartily push our University, we must send our children for education to Kentucky or Cambridge. The latter will return them to us fanatics & tories, the former will keep them to add to their population. If however we are to go a begging any where for our education, I would rather it should be to Kentucky than any other state, because she has more of the flavor of

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the old cask than any other. All the states but our own are sensible that knolege is power. The Missouri question is for power. The efforts now generally making all the states to advance their science is for power, while we are sinking into the barbarism of our Indian aborigines, and expect like them to oppose by ignorance the overwhelming mass of light & science by which we shall be surrounded. It is a comfort that I am not to live to see this. Our exertions in building this last year have amounted to the whole of the public annuity of this year, for which therefore we have been obliged to draw to relieve the actual distresses of our workmen; the subscriptions come in slow & grudgingly. You know that we are to pay Dr. Cooper 1500 D. in May, and his family will depend on it for subsistence in his absence. We have been obliged therefore to set apart, as our only sure dependence, 6. subscriptions on the punctuality of which we can depend, to wit, yours, Mr. Madison's, Genl Cocke's, Mr. Diges's and John Harrison's, & mine, which exactly make up the money. Affectly yours.

TO ROBERT WALSH. J. MSS.

MONTICELLO Feb. 6. 20.

DEAR SIR,—Continual ill health for 18. months past had nearly ended the business of letter-writing with me. I cannot however but make an effort to thank you for your vindicia Americana against Gr. Britain. The malevolence and impertinence of her critics & writers really called for the rod, and I rejoiced when I heard it was in hands so able to wield it with strength and correctness. Your work will furnish the 1st volume of every future American history; the Ante-revolutionary part especially. The latter part will silence the libellists of the day, who finding refutation impossible, and that men in glass houses should not provoke a war of stones, will be glad of a truce, to hush and be done with it. I wish that, being placed on the vantage ground by these researches and expositions of facts, our own citizens and our antagonists would now bury the hatchet and join in a mutual amnesty. No two nations on earth can be so helpful to each other as friends, nor so hurtful as enemies. And, in spite of

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their insolence I have ever wished for an honorable and cordial amity with them as a nation. I think the looking glass you have held up to them will now so compleatly humble their pride as to dispose them also to wish and court it.

Here I must lay down my pen with affectionate salutations to you, and on whichever side of the Styx I may be, with cordial wishes for your health, prosperity and happiness.

TO HUGH NELSON.

MONTICELLO Feb. 7. 20.

DEAR SIR,—* * * I thank you for your information on the progress & prospects of the Missouri question. It is the most portentous one which ever yet threatened our Union. In the gloomiest moment of the revolutionary war I never had any apprehensions equal to what I feel from this source.

I observe you are loaded with petitions from the Manufacturing commercial & agricultural interests, each praying you to sacrifice the others to them. This proves the egotism of the whole and happily balances their cannibal appetites to eat one another. The most perfect confidence in the wisdom of Congress leaves me without a fear of the result. I do not know whether it is any part of the petitions of the farmers that our citizens shall be restrained to eat nothing but bread, because that can be made here. But this is the common spirit of all their petitions. My ill-health has obliged me to retire from all public concerns. I scarcely read a newspaper. I cannot therefore tell you what is a doing in the state, but this you will get fully from others. I will therefore add only the assurances of my great & friendly esteem and respect.[1]

[1] Jefferson further wrote to Nelson :

MONTICELLO, March 12, 1820

I thank you, dear Sir, for the information in your favor of the 4th instant, of the settlement, *for the present*, of the Missouri question. I am so completely withdrawn from all attention to public matters, that nothing less could arouse me than the definition of a geographical line, which on an abstract principle is to become the line of separation of these States, and to render desperate the hope that man can ever enjoy the two blessings of peace and self-government. The question sleeps for the present, but is not dead. This State is in

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TO JOHN HOLMES. J. MSS.

MONTICELLO, April 22, 1820.

I thank you, dear Sir, for the copy you have been so kind as to send me of the letter to your constituents on the Missouri question. It is a perfect justification to them. I had for a long time ceased to read newspapers, or pay any attention to public affairs, confident they were in good hands, and content to be a passenger in our bark to the shore from which I am not distant. But this momentous question, like a fire bell in the night, awakened and filled me with terror. I considered it at once as the knell of the Union. It is hushed, indeed, for the moment. But this is a reprieve only, not a final sentence. A geographical line, coinciding with a marked principle, moral and political, once conceived and held up to the angry passions of men, will never be obliterated; and every new irritation will mark it deeper and deeper. I can say, with conscious truth, that there is not a man on earth who would sacrifice more than I would to relieve us from this heavy reproach, in any *practicable* way. The cession of that kind of property, for so it is misnamed, is a bagatelle which would not cost me a second thought, if, in that way, a general emancipation and *expatriation* could be effected; and gradually, and with due sacrifices, I think it might be. But as it is, we have the wolf by the ears, and we can neither hold him, nor safely let him go. Justice is in one scale, and self-preservation

a condition of unparalleled distress. The sudden reduction of the circulating medium from a plethory to all but annihilation is producing an entire revolution of fortune. In other places I have known lands sold by the sheriff for one year's rent; beyond the mountain we hear of good slaves selling for one hundred dollars, good horses for five dollars, and the sheriffs generally the purchasers. Our produce is now selling at market for one-third of its price, before this commercial catastrophe, say flour at three and a quarter and three and a half dollars the barrel. We should have less right to expect relief from our legislators if they had been the establishers of the unwise system of banks. A remedy to a certain degree was practicable, that of reducing the quantum of circulation gradually to a level with that of the countries with which we have commerce, and an eternal abjuration of paper. But they have adjourned without doing anything. I fear local insurrections against these horrible sacrifices of property. In every condition of trouble or tranquillity be assured of my constant esteem and respect.

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in the other. Of one thing I am certain, that as the passage of slaves from one State to another, would not make a slave of a single human being who would not be so without it, so their diffusion over a greater surface would make them individually happier, and proportionally facilitate the accomplishment of their emancipation, by dividing the burthen on a greater number of coadjutors. An abstinence too, from this act of power, would remove the jealousy excited by the undertaking of Congress to regulate the condition of the different descriptions of men composing a State. This certainly is the exclusive right of every State, which nothing in the constitution has taken from them and given to the General Government. Could Congress, for example, say, that the non-freemen of Connecticut shall be freemen, or that they shall not emigrate into any other State?

I regret that I am now to die in the belief, that the useless sacrifice of themselves by the generation of 1776, to acquire self-government and happiness to their country, is to be thrown away by the unwise and unworthy passions of their sons, and that my only consolation is to be, that I live not to weep over it. If they would but dispassionately weigh the blessings they will throw away, against an abstract principle more likely to be effected by union than by scission, they would pause before they would perpetrate this act of suicide on themselves, and of treason against the hopes of the world. To yourself, as the faithful advocate of the Union, I tender the offering of my high esteem and respect.

TO JAMES MONROE. J. MSS.

MONTICELLO, May 14, 1820.

DEAR SIR,—Your favor of the 3d is received, and always with welcome. These texts of truth relieve me from the floating falsehoods of the public papers. I confess to you I am not sorry for the non-ratification of the Spanish treaty. Our assent to it has proved our desire to be on friendly terms with Spain; their dissent, the imbecility and malignity of their

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government towards us, have placed them in the wrong in the eyes of the world, and that is well; but to us the province of Techas will be the richest State of our Union, without any exception. Its southern part will make more sugar than we can consume, and the Red river, on its north, is the most luxuriant country on earth. Florida, moreover, is ours. Every nation in Europe considers it such a right. We need not care for its occupation in time of peace, and, in war, the first cannon makes it ours without offence to anybody. The friendly advisements, too, of Russia and France, as well as the change of government in Spain, now ensured, require a further and respectful forbearance. While their request will rebut the plea of proscriptive possession, it will give us a right to their approbation when taken in the maturity of circumstances. I really think, too, that neither the state of our finances, the condition of our country, nor the public opinion, urges us to precipitation into war. The treaty has had the valuable effect of strengthening our title to the Techas, because the cession of the Floridas in exchange for Techas imports an acknowledgement of our right to it. This province moreover, the Floridas and possibly Cuba, will join us on the acknowledgment of their independence, a measure to which their new government will probably accede voluntarily. But why should I be saying all this to you, whose mind all the circumstances of this affair have had possession for years? I shall rejoice to see you here; and were I to live to see you here finally, it would be a day of jubilee. But our days

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are all numbered, and mine are not many. God bless you and preserve you *muchos años.*

TO WILLIAM CHARLES JARVIS. J. MSS.

MONTICELLO, September 28, 1820.

I thank you, Sir, for the copy of your Republican which you have been so kind as to send me, and I should have acknowledged it sooner but that I am just returned home after a long absence. I have not yet had time to read it seriously, but in looking over it cursorily I see much in it to approve, and shall be glad if it shall lead our youth to the practice of thinking on such subjects and for themselves. That it will have this tendency may be expected, and for that reason I feel an urgency to note what I deem an error in it, the more requiring notice as your opinion is strengthened by that of many others. You seem, in pages 84 and 148, to consider the judges as the ultimate arbiters of all constitutional questions; a very dangerous doctrine indeed, and one which would place us under the despotism of an oligarchy. Our judges are as honest as other men, and not more so. They have, with others, the same passions for party, for power, and the privilege of their corps. Their maxim is "*boni judicis est ampliare jurisdictionem,*" and their power the more dangerous as they are in office for life, and not responsible, as the other functionaries are, to the elective control. The constitution has erected no such single tribunal, knowing that to whatever hands confided, with the corruptions of time and party, its members would become despots. It has more wisely made all the departments co-equal and co-sovereign within themselves. If the legislature fails to pass laws for a census, for paying the judges and other officers of government, for establishing a militia, for naturalization as prescribed by the constitution, or if they fail to meet in congress, the judges cannot issue their mandamus to them; if the President fails to supply the place of a judge, to appoint other civil or military officers, to issue requisite commissions, the judges cannot force him. They can issue their mandamus or distringas to no executive or legislative officer to

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enforce the fulfilment of their official duties, any more than the president or legislature may issue orders to the judges or their officers. Betrayed by English example, and unaware, as it should seem, of the control of our constitution in this particular, they have at times overstepped their limit by undertaking to command executive officers in the discharge of their executive duties; but the constitution, in keeping three departments distinct and independent, restrains the authority of the judges to judiciary organs, as it does the executive and legislative to executive and legislative organs. The judges certainly have more frequent occasion to act on constitutional questions, because the laws of *meum* and *tuum* and of criminal action, forming the great mass of the system of law, constitute their particular department. When the legislative or executive functionaries act unconstitutionally, they are responsible to the people in their elective capacity. The exemption of the judges from that is quite dangerous enough. I know no safe depository of the ultimate powers of the society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion by education. This is the true corrective of abuses of constitutional power. Pardon me, Sir, for this difference of opinion. My personal interest in such questions is entirely extinct, but not my wishes for the longest possible continuance of our government on its pure principles; if the three powers maintain their mutual independence on each other it may last long, but not so if either can assume the authorities of the other. I ask your candid re-consideration of this subject, and am sufficiently sure you will form a candid conclusion. Accept the assurance of my great respect.

TO CHARLES PINCKNEY. J. MSS.

MONTICELLO, September 30, 1820.

DEAR SIR,—An absence of some time from home has occasioned me to be thus late in acknowledging the receipt of your favor of the 6th, and I see in it with pleasure evidences of your continued health and application to business. It is now, I believe,

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about twenty years since I had the pleasure of seeing you, and we are apt, in such cases, to lose sight of time, and to conceive that our friends remain stationary at the same point of health and vigor as when we last saw them. So I perceive by your letter you think with respect to myself, but twenty years added to fifty-seven make quite a different man. To threescore and seventeen add two years of prostrate health, and you have the old, infirm, and nerveless body I now am, unable to write but with pain, and unwilling to think without necessity. In this state I leave the world and its affairs to the young and energetic, and resign myself to their care, of whom I have endeavored to take care when young. I read but one newspaper and that of my own State, and more for its advertisements than its news. I have not read a speech in Congress for some years. I have heard, indeed, of the questions of the tariff and Missouri, and formed *primâ facie* opinions on them, but without investigation. As to the tariff, I should say put down all banks, admit none but a *metallic circulation*, that will take its proper level with the like circulation in other countries, and then our manufacturers may work in fair competition with those of other countries, and the import duties which the government may lay for the purposes of revenue will so far place them above equal competition. The Missouri question is a mere party trick. The leaders of federalism, defeated in their schemes of obtaining power by rallying partisans to the principle of monarchism, a principle of personal not of local division, have changed their tack, and thrown out another barrel to the whale. They are taking advantage of the virtuous feelings of the people to effect a division of parties by a geographical line; they expect that this will ensure them, on local principles, the majority they could never obtain on principles of federalism; but they are still putting their shoulder to the wrong wheel; they are wasting Jeremiads on the miseries of slavery, as if we were advocates for it. Sincerity in their declamations should direct their efforts to the true point of difficulty, and unite their counsels with ours in devising some reasonable and practicable plan of getting rid of it. Some of these leaders, if they could attain the power, their ambition would rather use it to keep the Union together, but others have ever had in view its

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separation. If they push it to that, they will find the line of separation very different from their 36° of latitude, and as manufacturing and navigating States, they will have quarrelled with their bread and butter, and I fear not that after a little trial they will think better of it, and return to the embraces of their natural and best friends. But this scheme of party I leave to those who are to live under its consequences. We who have gone before have performed an honest duty, by putting in the power of our successors a state of happiness which no nation ever before had within their choice. If that choice is to throw it away, the dead will have neither the power nor the right to control them. I must hope, nevertheless, that the mass of our honest and well-meaning brethren of the other States, will discover the use which designing leaders are making of their best feelings, and will see the precipice to which they are led, before they take the fatal leap. God grant it, and to you health and happiness.

TO J. CORREA DE SERRA. J. MSS.

MONTICELLO, October 24, 1820.

Your kind letter, dear Sir of October 12th, was handed to me by Dr. Cooper, and was the first correction of an erroneous belief that you had long since left our shores. Such had been Colonel Randolph's opinion, and his had governed mine. I received your adieu with feelings of sincere regret at the loss we were to sustain, and particularly of those friendly visits by which you had made me so happy. I shall feel, too, the want of your counsel and approbation in what we are doing and have yet to do in our University, the last of my mortal cares, and the last service I can render my country. But turning from myself, throwing egotism behind me, and looking to your happiness, it is a duty and consolation of friendship to consider that that may be promoted by your return to your own country. There I hope you will receive the honors and rewards you merit, and which may make the rest of your life easy and happy; there too you will render precious services by promoting the science of your country, and blessing its future generations with the advantages that bestows. Nor even there

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shall we lose all the benefits of your friendship; for this motive, as well as the love of your country, will be an incitement to promote that intimate harmony between our two nations which is so much the interest of both. Nothing is so important as that America shall separate herself from the systems of Europe, and establish one of her own. Our circumstances, our pursuits, our interests, are distinct, the principles of our policy should be so also. All entanglements with that quarter of the globe should be avoided if we mean that peace and justice shall be the polar stars of the American societies. I had written a letter to a friend while you were here, in a part of which these sentiments were expressed, and I had made an extract from it to put into your hands, as containing my creed on that subject. You had left us, however, in the morning earlier than I had been aware; still I enclose it to you, because it would be a leading principle with me, had I longer to live. During six and thirty years that I have been in situations to attend to the conduct and characters of foreign nations, I have found the government of Portugal the most just, inoffensive and unambitious of any one with which we had concern, without a single exception. I am sure that this is the character of ours also. Two such nations can never wish to quarrel with each other. Subordinate officers may be negligent, may have their passions and partialities, and be criminally remiss in preventing the enterprises of the lawless banditti who are to be found in every seaport of every country. The late piratical depredations which your commerce has suffered as well as ours, and that of other nations, seem to have been committed by renegado rovers of several nations, French, English, American, which they as well as we have not been careful enough to suppress. I hope our Congress now about to meet will strengthen the measures of suppression. Of their disposition to do it there can be no doubt; for all men of moral principle must be shocked at these atrocities. I had repeated conversations on this subject with the President while at his seat in this neighborhood. No man can abhor these enormities more deeply. I trust it will not have been in the power of abandoned rovers, nor yet of negligent functionaries, to disturb the harmony of two nations so much disposed to mutual friendship, and interested in it. To this, my dear friend, you can

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be mainly instrumental, and I know your patriotism and philanthropy too well to doubt your best efforts to cement us. In these I pray for your success, and that heaven may long preserve you in health and prosperity to do all the good to mankind to which your enlightened and benevolent mind disposes you. Of the continuance of my affectionate friendship, with that of my life, and of its fervent wishes for your happiness, accept my sincere assurance.

TO JOSEPH C. CABELL. J. MSS.

POPLAR FOREST, November 28, 1820.

DEAR SIR,—I sent in due time the Report of the Visitors to the Governor, with a request that he would endeavor to convene the Literary Board in time to lay it before the legislature on the second day of their session. It was enclosed in a letter which will explain itself to you. If delivered before the crowd of other business presses on them, they may act on it immediately, and before there will have been time for unfriendly combinations and maneuvres by the enemies of the institution. I enclose you now a paper presenting some views which may be useful to you in conversations, to rebut exaggerated estimates of what our institution is to cost, and reproaches of deceptive estimates. One hundred and sixty-two thousand three hundred and sixty-four dollars will be about the cost of the whole establishment, when completed. Not an office at Washington has cost less. The single building of the court house at Henrico has cost nearly that; and the massive walls of the millions of bricks of William and Mary could not now be built for a less sum.

Surely Governor Clinton's display of the gigantic efforts of New York towards the education of her citizens, will stimulate the pride as well as the patriotism of our legislature, to look to the reputation and safety of their own country, to rescue it from the degradation of becoming the Barbary of the Union, and of falling into the ranks of our own negroes. To that condition it is fast sinking. We shall be in the hands of the other States, what our indigenous predecessors were when invaded by the science and arts of Europe. The mass of education in Virginia, be-

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fore the Revolution, placed her with the foremost of her sister colonies. What is her education now? Where is it? The little we have we import, like beggars, from other States; or import their beggars to bestow on us their miserable crumbs. And what is wanting to restore us to our station among our confederates? Not more money from the people. Enough has been raised by them, and appropriated to this very object. It is that it should be employed understandingly, and for their greatest good. That good requires, that while they are instructed in general, competently to the common business of life, others should employ their genius with necessary information to the useful arts, to inventions for saving labor and increasing our comforts, to nourishing our health, to civil government, military science, &c.

Would it not have a good effect for the friends of this University to take the lead in proposing and effecting a practical scheme of elementary schools? To assume the character of the friends, rather than the opponents of that object. The present plan has appropriated to the primary schools forty-five thousand dollars for three years, making one hundred and thirty-five thousand dollars. I should be glad to know if this sum has educated one hundred and thirty-five poor children? I doubt it much. And if it has, they have cost us one thousand dollars a piece for what might have been done with thirty dollars. Supposing the literary revenue to be sixty thousand dollars, I think it demonstrable, that this sum, equally divided between the two objects would amply suffice for both. One hundred counties, divided into about twelve wards each, on an average, and a school in each ward of perhaps ten children, would be one thousand and two hundred schools, distributed proportionably over the surface of the State. The inhabitants of each ward, meeting together (as when they work on the roads), building good log houses for their school and teacher, and contributing for his provisions, rations of pork, beef, and corn, in the proportion each of his other taxes, would thus lodge and feed him without feeling it; and those of them who are able, paying for the tuition of their own children, would leave no call on the public fund but for the tuition fee of, here and there, an accidental pauper, who would still be fed and lodged with his parents. Suppose this fee ten

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dollars, and three hundred dollars apportioned to a county on an average, (more or less proportioned,) would there be thirty such paupers for every county? I think not. The truth is, that the want of common education with us is not from our poverty, but from want of an orderly system. More money is now paid for the education of a part, than would be paid for that of the whole, if systematically arranged. Six thousand common schools in New York, fifty pupils in each, three hundred thousand in all; one hundred and sixty thousand dollars annually paid to the masters; forty established academies, with two thousand two hundred and eighteen pupils; and five colleges, with seven hundred and eighteen students; to which last classes of institutions seven hundred and twenty thousand dollars have been given; and the whole appropriations for education estimated at two and a half millions of dollars! What a pigmy to this is Virginia become, with a population almost equal to that of New York! And whence this difference? From the difference their rulers set on the value of knowledge, and the prosperity it produces. But still, if a pigmy, let her do what a pigmy may do. If among fifty children in each of the six thousand schools of New York, there are only paupers enough to employ twenty-five dollars of public money to each school, surely among the ten children of each of our one thousand and two hundred schools, the same sum of twenty-five dollars to each school will teach its paupers, (five times as much as to the same number in New York,) and will amount for the whole to thirty thousand dollars a year, the one-half only of our literary revenue.

Do then, dear Sir, think of this, and engage our friends to take in hand the whole subject. It will reconcile the friends of the elementary schools, and none are more warmly so than myself, lighten the difficulties of the University, and promote in every order of men the degree of instruction proportioned to their condition, and to their views in life. It will combine with the mass of our force, a wise direction of it, which will insure to our country its future prosperity and safety. I had formerly thought that visitors of the school might be chosen by the county, and charged to provide teachers for every ward, and to superintend them. I now think it would be better for every ward to choose

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its own resident visitor, whose business it would be to keep a teacher in the ward, to superintend the school, and to call meetings of the ward for all purposes relating to it; their accounts to be settled, and wards laid off by the courts. I think ward elections better for many reasons, one of which is sufficient, that it will keep elementary education out of the hands of fanaticising preachers, who, in county elections, would be universally chosen, and the predominant sect of the county would possess itself of all its schools.

A wrist stiffened by an ancient accident, now more so by the effect of age, renders writing a slow and irksome operation with me. I cannot, therefore, present these views, by separate letters to each of our colleagues in the legislature, but must pray you to communicate them to Mr. Johnson and General Breckenridge, and to request them to consider this as equally meant for them. Mr. Gordon being the local representative of the University, and among its most zealous friends, would be a more useful second to General Breckenridge in the House of Delegates, by a free communication of what concerns the University, with which he has had little opportunity of becoming acquainted. So, also, would it be to Mr. Rives, who would be a friendly advocate.

Accept the assurances of my constant and affectionate esteem and respect.

TO JAMES MADISON. J. MSS.

POPLAR FOREST, November 29, 1820.

DEAR SIR,—The enclosed letter from our ancient friend Tenche Coxe, came unfortunately to Monticello after I had left it, and has had a dilatory passage to this place, where I received it yesterday, and obey its injunction of immediate transmission to you. We should have recognized the style even without a signature, and although so written as to be much of it indecipherable. This is a sample of the effects we may expect from the late mischievous law vacating every four years nearly all the executive offices of the government. It saps the constitutional and salutary functions of the President, and introduces a principle of intrigue and corruption, which will soon leaven the mass,

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not only of Senators, but of citizens. It is more baneful than the attempt which failed in the beginning of the government, to make all officers irremovable but with the consent of the Senate. This places, every four years, all appointments under their power, and even obliges them to act on every one nomination. It will keep in constant excitement all the hungry cormorants for office, render them, as well as those in place, sycophants to their Senators, engage these in eternal intrigue to turn out one and put in another, in cabals to swap work; and make of them what all executive directories become, mere sinks of corruption and faction. This must have been one of the midnight signatures of the President, when he had not time to consider, or even to read the law; and the more fatal as being irrepealable but with the consent of the Senate, which will never be obtained.

F. Gilmer has communicated to me Mr. Correa's letter to him of adieux to his friends here, among whom he names most affectionately Mrs. Madison and yourself. No foreigner, I believe, has ever carried with him more friendly regrets. He was to sail the next day (November 10) in the British packet for England, and thence take his passage in January for Brazil. His present views are of course liable to be affected by the events of Portugal, and the possible effects of their example on Brazil. I expect to return to Monticello about the middle of the ensuing month, and salute you with constant affection and respect.

TO THOMAS RITCHIE.

J. MSS.

MONTICELLO, December 25, 1820.

DEAR SIR,—On my return home after a long absence, I find here your favor of November the 23d, with Colonel Taylor's "Construction Construed," which you have been so kind as to send me, in the name of the author as well as yourself. Permit me, if you please, to use the same channel for conveying to him the thanks I render you also for this mark of attention. I shall read it, I know, with edification, as I did his Inquiry, to which I acknowledge myself indebted for many valuable ideas, and for the correction of some errors of early opinion, never seen in a

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correct light until presented to me in that work. That the present volume is equally orthodox, I know before reading it, because I know that Colonel Taylor and myself have rarely, if ever, differed in any political principle of importance. Every act of his life, and every word he ever wrote, satisfies me of this. So, also, as to the two Presidents, late and now in office, I know them both to be of principles as truly republican as any men living. If there be anything amiss, therefore, in the present state of our affairs, as the formidable deficit lately unfolded to us indicates, I ascribe it to the inattention of Congress to their duties, to their unwise dissipation and waste of the public contributions. They seemed, some little while ago, to be at a loss for objects whereon to throw away the supposed fathomless funds of the treasury. I had feared the result, because I saw among them some of my old fellow laborers, of tried and known principles, yet often in their minorities. I am aware that in one of their most ruinous vagaries, the people were themselves betrayed into the same phrenzy with their Representatives. The deficit produced, and a heavy tax to supply it, will, I trust, bring both to their sober senses.

But it is not from this branch of government we have most to fear. Taxes and short elections will keep them right. The judiciary of the United States is the subtle corps of sappers and miners constantly working under ground to undermine the foundations of our confederated fabric. They are construing our constitution from a co-ordination of a general and special government to a general and supreme one alone. This will lay all things at their feet, and they are too well versed in English law to forget the maxim, "*boni judicis est ampliare jurisdictionem.*" We shall see if they are bold enough to take the daring stride their five lawyers have lately taken. If they do, then, with the editor of our book, in his address to the public, I will say, that "against this every man should raise his voice," and more, should uplift his arm. Who wrote this admirable address? Sound, luminous, strong, not a word too much, nor one which can be changed but for the worse. That pen should go on, lay bare these wounds of our constitution, expose the decisions *seriatim*, and arouse, as it is able, the attention of the nation to these bold speculators on its patience. Having found, from experience, that

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impeachment is an impracticable thing, a mere scare-crow, they consider themselves secure for life; they sculk from responsibility to public opinion, the only remaining hold on them, under a practice first introduced into England by Lord Mansfield. An opinion is huddled up in conclave, perhaps by a majority of one, delivered as if unanimous, and with the silent acquiescence of lazy or timid associates, by a crafty chief judge, who sophisticates the law to his mind, by the turn of his own reasoning. A judiciary law was once reported by the Attorney General to Congress, requiring each judge to deliver his opinion *seriatim* and openly, and then to give it in writing to the clerk to be entered in the record. A judiciary independent of a king or executive alone, is a good thing; but independence of the will of the nation is a solecism, at least in a republican government.

But to return to your letter; you ask for my opinion of the work you send me, and to let it go out to the public. This I have ever made a point of declining, (one or two instances only excepted.) Complimentary thanks to writers who have sent me their works, have betrayed me sometimes before the public, without my consent having been asked. But I am far from presuming to direct the reading of my fellow citizens, who are good enough judges themselves of what is worthy their reading. I am, also, too desirous of quiet to place myself in the way of contention. Against this I am admonished by bodily decay, which cannot be unaccompanied by corresponding wane of the mind. Of this I am as yet sensible, sufficiently to be unwilling to trust myself before the public, and when I cease to be so, I hope that my friends will be too careful of me to draw me forth and present me, like a Priam in armor, as a spectacle for public compassion. I hope our political bark will ride through all its dangers; but I can in future be but an inert passenger.

I salute you with sentiments of great friendship and respect.

TO DAVID BAILEY WARDEN. J. MSS.

MONTICELLO, Dec. 26. 20.

DEAR SIR,—Your acceptable letters of Mar. & Apr. 20 and of May 15. of the present year, have not been sooner answered,

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nor the brochures you so kindly sent me, acknowledged because the state of my health has in a great degree interdicted to me the labors of the writing table. Add to this a stiffening wrist, the effect of age on an antient dislocation, which is likely to deprive me entirely of the use of the pen.

We are expecting to see you all involved in war, in Europe. Revolutions going on in so many of it's countries, such military movements to suppress them, the intestine barbarisms of Engl^d France, and Germany, seem impossible to pass away without war; in a region too where war seems to be the natural state of man.

Nor are we much at our ease here. The mischiefs of bank papers, catastrophe of our commerce, sudden and continued reduction of the nominal value of property & produce, which has doubled and trebled in fact the debts of those who owed anything, place us in a state of great depression. But nothing disturbs us so much as the dissension lately produced by what is called the Missouri question: a question having just enough of the semblance of morality to throw dust into the eyes of the people, & to fanaticise them; while with the knowing ones it is simply a question of power. The Federalists, unable to rise again under the old division of whig and tory, have invented a geographical divisjon which gives them 14. states against 10. and seduces their old opponents into a coalition with them. Real morality is on the other side. For while the removal of slaves from one state to another adds no more to their numbers than their removal from one country to another, the spreading them over a larger surface adds to their happiness and renders their future emancipation more practicable. Mr. Botta when he published his excellent history of our revolution, was so kind as to send me a copy of it, for which I immediately & before I had read it, returned him my thanks. A careful perusal as soon as I had time made me sensible of it's high value, and anxious to get it translated & published. After some time I engaged a very competent person to undertake it, & lent him my copy. He proceeded however very slowly, & had made little progress when a Mr. Otis sent me a first volume of a translation he had made, and lately a 2d, the 3d and last being now in press. It is well done, and I am anxious to send a copy to Mr. Botta, if I can find the means. The 1st difficulty is

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to keep it out of the French post office, which would tax it beyond it's value, and you know my situation among the mountains of the country, & how little probable it is that I should meet with a passenger going to Paris. I will therefore address a copy thro' my friend John Vaughan of Philadelphia and request him to deliver it to some passenger from that place to Paris. Would it be asking too great a favor of you to mention this, with my great respect, to Mr. Botta, supplying my inability to write? And could you even go further, should you at any time find yourself in the bookshop of Messrs Debures and say to them that I shall take care in the spring to remit them the f. c. 36.40 balance of their last account, which arrived safely, to which I shall add a further call for some books.

Our family, all present at least, join in friendly remembrances of you. Mr. Randolph is at present our Governor, & of course at Richmond. He has had the courage to propose to our legislature a plan of general emancipation & deportation of our slaves. Altho this is not ripe to be immediately acted on, it will, with the Missouri question, force a serious attention to this object by our citizens, which the vicinage of St. Domingo brings within the scope of possibility. I salute you with constant & affectionate respect and attachment.

TO A. C. V. C. DESTUTT DE TRACY. J. MSS.

MONTICELLO, Dec. 26. 20.

Long ill health, dear Sir, has brought me much into default with my corresponding friends, and it's sufferings have been augmented by the remorse resulting from this default. I learnt with pleasure from your last letter, and from a later one of M. de la Fayette, that you were mending in health, and particularly that your eye-sight was sensibly improved. I have to thank you for the copy of your Commentary on Montesquieu accompanying your letter, and a second thro Mr. Barnet. The world ought to possess it in it's native language, which cannot be compensated by any translation. This edition published here is now exhausted, and the copyright being near out, it will be reprinted with a corrected translation. For altho the former was one sent to me for revisal, sheet by sheet, yet the original not being sent with them (for the

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printer was 100. leagues distant) I could correct inaccuracies of language only, and not inconformities of sentiment with the original. The original MS. was returned to me afterwards, and I hold it as testimony against the infidelities of Liege, or of another country.

A second edition of your Economie Politique will soon also be called for here, in which Milligan's error on the freedom of your press will not be repeated. When he first printed the Prospectus of that work, the observation was true, as it was some time before your original was published in Paris. But he was so slow in getting it thro' the press that the original appeared before his translation. He ought certainly after that to have omitted or corrected his prospectus. The knowledge however of your charter has corrected the error here, by it's sanction of the freedom of the press, and the publication of the work there, and still more that of the commentary on Montesquieu are a full vindication of the character of the Charter. These two works will become the Statesman's Manual, with us, and they certainly shall be the elementary books of the political department in our new University. This institution of my native state, the Hobby of my old age, will be based on the illimitable freedom of the human mind, to explore and to expose every subject susceptible of it's contemplation.

I still hold and duly value your little MS. entitled 'Logique.' Being too small to make a volume of itself, I had put it into the hands of a very able editor of a periodical publication which promised to be valuable. It would have made a distinguished article in that work; but it's continuance having failed for want of the encouragement it merited, I was disappointed in the hope of giving to the world this compendious demonstration of the reality & limits of human knolege. I am still on the watch for a favorable opportunity of doing it. I am not without the hope that the improvement in your health may enable you still to compleat your Encyclopedie Morale, by adding the volume which was to treat of our sentiments and passions. This would fill up our moral circle, and the measure of our obligations to you.

We go with you all lengths in friendly affections to the independance of S. America. But an immediate acknolegement of it

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calls up other considerations. We view Europe as covering at present a smothered fire, which may shortly burst forth and produce general conflagration. From this it is our duty to keep aloof. A formal acknolegement of the independance of her colonies would involve us with Spain certainly, and perhaps too with England, if she thinks that a war would divert her internal troubles. Such a war would hurt us more than it would help our brethren of the South: and our right may be doubted of mortgaging posterity for the expences of a war in which they will have a right to say their interests were not concerned. It is incumbent on every generation to pay it's own debts as it goes. A principle which, if acted on, would save one half the wars of the world; and justifies I think our present circumspection. In the meantime we receive & protect the flag of S. America in it's commercial intercourse with us, in the acknoleged principles of neutrality between two belligerant parties in a civil war: and if we should not be the first, we shall certainly be the second nation in acknoleging the entire independance of our new friends. What that independance will end in, I fear is problematical. Whether in wise government or military despotisms. But prepared however, or not, for self-government, if it is their will to make the trial, it is our duty and desire to wish it cordially success, and of ultimate success there can be no doubt, and that it will richly repay all intermediate sufferings. Of this your country, as well as ours, furnishes living examples. With the expression of hopes for them, accept my prayers for the perfect restoration of your health, & it's continuance thro' a life as long as you shall wish it.

TO ALBERT GALLATIN. J. MSS.

MONTICELLO, December 26, 1820.

DEAR SIR,—"It is said to be an ill wind which blows favorably to no one." My health has long suspended the too frequent troubles I have heretofore given you with my European correspondence. To this is added a stiffening wrist,—the effects of age on an ancient dislocation,—which renders writing slow and painful, and disables me nearly from all correspondence, and may

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very possibly make this the last trouble I shall give you in that way.

Looking from our quarter of the world over the horizon of yours, we imagine we see storms gathering which may again desolate the face of that country. So many revolutions going on in different countries at the same time, such combinations of tyranny and military preparations and movements to suppress them, England and France unsafe from internal conflict, Germany on the first favorable occasion ripe for insurrection, such a state of things, we suppose, must end in war, which needs a kindling spark in one spot only to spread over the whole. Your information can correct these views, which are stated only to inform you of impressions here.

At home things are not well. The flood of paper money, as you well know, had produced an exaggeration of nominal prices, and at the same time a facility of obtaining money, which not only encouraged speculations on fictitious capital, but seduced those of real capital, even in private life, to contract debts too freely. Had things continued in the same course, these might have been managable: but the operations of the United States Bank for the demolition of the States banks obliged these suddenly to call in more than half their paper, crushed all fictitious and doubtful capital, and reduced the prices of property and produce suddenly to one-third of what they had been. Wheat, for example, at the distance of two or three days from market, fell to, and continued at, from one-third to half a dollar. Should it be stationary at this for a while, a very general revolution of property must take place. Something of the same character has taken place in our fiscal system. A little while back, Congress seemed at a loss for objects whereon to squander the supposed fathomless fund of our Treasury. This short frenzy has been arrested by a deficit of 5 millions the last year and of 7 millions this year. A loan was adopted for the former and is proposed for the latter, which threatens to saddle us with a perpetual debt. I hope a tax will be preferred, because it will awaken the attention of the people and make reformation and economy the principles of the next election. The frequent recurrence of this chastening operation can alone restrain the propensity of governments to

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enlarge expense beyond income. The steady tenor of the courts of the United States to break down the constitutional barriers between the co-ordinate powers of the States and of the Union, and a formal opinion lately given by five lawyers of too much eminence, to be neglected, give uneasiness. But nothing has ever presented so threatening an aspect as what is called the Missouri question. The Federalists, completely put down and despairing of ever rising again under the old divisions of Whig and Tory, devised a new one of slave-holding and non-slave-holding States, which, while it had a semblance of being moral, was at the same time geographical, and calculated to give them ascendency by debauching their old opponents to a coalition with them. Moral the question certainly is not, because the removal of slaves from one State to another, no more than their removal from one country to another, would never make a slave of one human being who would not be so without it. Indeed, if there were any morality in the question it is on the other side; because by spreading them over a larger surface their happiness would be increased, and burden of their future liberation lightened by bringing a greater number of shoulders under it. However, it served to throw dust into the eyes of the people and to fanaticize them, while to the knowing ones it gave a geographical and preponderant line of the Potomac and Ohio, throwing fourteen States to the North and East, and ten to the South and West. With these, therefore, it is merely a question of power; but with this geographical minority it is a question of existence. For if Congress once goes out of the Constitution to arrogate a right of regulating the condition of the inhabitants of the States, its majority may, and probably will, next declare that the condition of all men within the United States shall be that of freedom; in which case all the whites south of the Potomac and Ohio must evacuate their States, and most fortunate those who can do it first. And so far this crisis seems to be advancing. The Missouri constitution is recently rejected by the House of Representatives; what will be their next step is yet to be seen. If accepted on the condition that Missouri shall expunge from it the prohibition of free people of color from emigration to their State, it will be expunged, and all will be quieted until the advance of some new State, shall pre-

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sent the question again. If rejected unconditionally, Missouri assumes independent self-government, and Congress, after pouting awhile, must receive them on the footing of the original States. Should the Representatives propose force, 1, the Senate will not concur; 2, were they to concur, there would be a secession of the members south of the line, and probably of the three Northwestern States, who, however inclined to the other side, would scarcely separate from those who would hold the Mississippi from its mouth to its source. What next? Conjecture itself is at a loss. But whatever it shall be you will hear from others and from the newspapers; and finally the whole will depend on Pennsylvania. While she and Virginia hold together, the Atlantic States can never separate. Unfortunately, in the present case she has become more fanatisized than any other State. However useful where you are, I wish you were with them. You might turn the scale there, which would turn it for the whole. Should this scission take place, one of the most deplorable consequences would be its discouragement of the efforts of the European nations in the regeneration of their oppressive and cannibal governments. Amidst this prospect of evil I am glad to see one good effect. It has brought the necessity of some plan of general emancipation and deportation more home to the minds of our people than it has ever been before, insomuch that our governor has ventured to propose one to the Legislature. This will probably not be acted on at this time, nor would it be effectual; for, while it proposes to devote to that object one-third of the revenue of the State, it would not reach one-tenth of the annual increase. My proposition would be that the holders should give up all born after a certain day, past, present, or to come; that these should be placed under the guardianship of the State, and sent at a proper age to St. Domingo. They are willing to receive them, and the shortness of the passage brings the deportation within the possible means of taxation, aided by charitable contributions. In these I think Europe, which has forced this evil on us, and the Eastern States, who have been its chief instruments of importation, would be bound to give largely. But the proceeds of the land office, if appropriate to this, would be quite sufficient. God bless you, and preserve you multos años.

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TO THE MARQUIS DE LA FAYETTE. J. MSS.

MONTICELLO, December 26, 1820.

It is long, indeed, my very dear friend, since I have been able to address a letter to you. For more than two years my health has been so entirely prostrate, that I have, of necessity, intermitted all correspondence. The dislocated wrist, too, which perhaps you may recollect, has now become so stiff from the effects of age, that writing is become a slow and painful operation, and scarcely ever undertaken but under the goad of imperious business. In the meantime your country has been going on less well than I had hoped. But it will go on. The light which has been shed on the mind of man through the civilized world, has given it a new direction, from which no human power can divert it. The sovereigns of Europe who are wise, or have wise counsellors, see this, and bend to the breese which blows; the unwise alone stiffen and meet its inevitable crush. The volcanic rumblings in the bowels of Europe, from north to south, seem to threaten a general explosion, and the march of armies into Italy cannot end in a simple march. The disease of liberty is catching; those armies will take it in the south, carry it thence to their own country, spread there the infection of revolution and representative government, and raise its people from the prone condition of brutes to the erect altitude of man. Some fear our envelopment in the wars engendering from the unsettled state of our affairs with Spain, and therefore are anxious for a ratification of our treaty with her. I fear no such

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thing, and hope that if ratified by Spain it will be rejected here. We may justly say to Spain, "when this negotiation commenced, twenty years ago, your authority was acknowledged by those you are selling to us. That authority is now renounced, and their right of self-disposal asserted. In buying them from you, then, we buy but a war-title, a right to subdue them, which you can neither convey nor we acquire. This is a family quarrel in which we have no right to meddle. Settle it between yourselves, and we will then treat with the party whose right is acknowledged." With whom that will be, no doubt can be entertained. And why should we revolt them by purchasing them as cattle, rather than receiving them as fellow-men? Spain has held off until she sees they are lost to her, and now thinks it better to get something than nothing for them. When she shall see South America equally desperate, she will be wise to sell that also.

With us things are going on well. The boisterous sea of liberty indeed is never without a wave, and that from Missouri is now rolling towards us, but we shall ride over it as we have over all others. It is not a moral question, but one merely of power. Its object is to raise a geographical principle for the choice of a president, and the noise will be kept up till that is effected. All know that permitting the slaves of the south to spread into the west will not add one being to that unfortunate condition, that it will increase the happiness of those existing, and by spreading them over a larger surface, will dilute the

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evil everywhere, and facilitate the means of getting finally rid of it, an event more anxiously wished by those on whom it presses than by the noisy pretenders to exclusive humanity. In the meantime, it is a ladder for rivals climbing to power. * * *

TO JAMES MADISON. J. MSS.

MONTICELLO, Jan. 13, 21.

DEAR SIR,—I return you Mr. Coxe's letter without saying I have read it. I made out enough to see that it was about the Missouri question, and the printed papers told me on which side he was. Could I have devoted a day to it, by interlining the words as I could pick them out, I might have got at more. The lost books of Livy or Tacitus might be worth this. Our friend would do well to write less and write plainer.

I am sorry to hear of the situation of your family, and the more so as that species of fever is dangerous in the hands of our medical boys. I am not a physician & still less a quack but I may relate a fact. While I was at Paris, both my daughters were taken with what we formerly called a nervous fever, now a typhus, distinguished very certainly by a thread-like pulse, low, quick and every now and then fluttering. Dr. Gem, an English physician, old, & of great experience, & certainly the ablest I ever met with, attended them. The one was about 5. or 6. weeks ill, the other 10. years old was 8. or ten weeks. He never gave them a single dose of physic. He told me it was a disease which tended with certainty to wear itself off, but so slowly that the strength of the patient might first fail if not kept up. That this alone was the object to be attended to by nourishment and stimulus. He forced them to eat a cup of rice, or panada, or gruel, or of some of the farinaceous substances of easy digestion every 2. hours and to drink a glass of Madeira. The youngest took a pint of Madeira a day without feeling it, and that for many weeks. For costiveness, injections were used; and he observed that a single dose of medicine taken into the stomach and consuming any of the

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strength of the patient was often fatal. He was attending a grandson of Mme. Helvetius, of 10 years old, at the same time, & under the same disease. The boy got so low that the old lady became alarmed and wished to call in another physician for consultation. Gem consented, that physician gave a gentle purgative, but it exhausted what remained of strength, and the patient expired in a few hours.

I have had this fever in my family 3. or 4. times since I have lived at home, and have carried between 20. & 30. patients thro' it without losing a single one, by a rigorous observance of Dr. Gem's plan and principle. Instead of Madeira I have used toddy of French brandy about as strong as Madeira. Brown preferred this stimulus to Madeira. I rarely had a case, if taken in hand early, to last above 1. 2. or 3. weeks, except a single one of 7. weeks, in whom when I thought him near his last, I discovered a change in his pulse to regularity, and in 12. hours he was out of danger. I vouch for these facts only, not for their theory. You may on their authority, think it expedient to try a single case before it has shewn signs of danger.

On the portentous question before Congress, I think our Holy Alliance will find themselves so embarrassed with the difficulties presented to them as to find their solution only in yielding to Missouri her entrance on the same footing with the other states, that is to say with the right to admit or exclude slaves at her own discretion. Ever & affectionately yours.

P. S. I should have observed that the same typhus fever prevailed in my neighborhood at the same times as in my family, and that it was very fatal in the hands of our Philadelphia Tyros.

TO FRANCIS EPPES. J. MSS.

MONTICELLO, January 19, 1821.

DEAR FRANCIS,—Your letter of the 1st came safely to hand. I am sorry you have lost Mr. Elliot, however the kindness of Dr. Cooper will be able to keep you in the track of what is worthy of your time.

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You ask my opinion of Lord Bolingbroke and Thomas Paine. They were alike in making bitter enemies of the priests and pharisees of their day. Both were honest men ; both advocates for human liberty. Paine wrote for a country which permitted him to push his reasoning to whatever length it would go. Lord Bolingbroke in one restrained by a constitution, and by public opinion. He was called indeed a tory ; but his writings prove him a stronger advocate for liberty than any of his countrymen, the whigs of the present day. Irritated by his exile, he committed one act unworthy of him, in connecting himself momentarily with a prince rejected by his country. But he redeemed that single act by his establishment of the principles which proved it to be wrong. These two persons differed remarkably in the style of their writing, each leaving a model of what is most perfect in both extremes of the simple and the sublime. No writer has exceeded Paine in ease and familiarity of style, in perspicuity of expression, happiness of elucidation, and in simple and unassuming language. In this he may be compared with Dr. Franklin ; and indeed his Common Sense was, for awhile, believed to have been written by Dr. Franklin, and published under the borrowed name of Paine, who had come over with him from England. Lord Bolingbroke's, on the other hand, is a style of the highest order. The lofty, rhythmical, full-flowing eloquence of Cicero. Periods of just measure, their members proportioned, their close full and round. His conceptions, too, are bold and strong, his diction copious, polished and commanding as his subject. His writings are certainly the finest samples in the English language, of the eloquence proper for the Senate. His political tracts are safe reading for the most timid religionist, his philosophical, for those who are not afraid to trust their reason with discussions of right and wrong.

You have asked my opinion of these persons, and, *to you*, I have given it freely. But, remember, that I am old, that I wish not to make new enemies, nor to give offence to those who would consider a difference of opinion as sufficient ground for unfriendly dispositions. God bless you, and make you what I wish you to be.

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TO ARCHIBALD THWEAT. J. MSS.

MONTICELLO, January 19, 1821.

DEAR SIR,—I duly received your favor of the 11th, covering Judge Roane's letter, which I now return. Of the kindness of his sentiments expressed towards myself I am highly sensible; and could I believe that my public services had merited the approbation he so indulgently bestows, the satisfaction I should derive from it would be reward enough to his wish that I would take a part in the transactions of the present day. I am sensible of my incompetence. For first, I know little about them, having long withdrawn my attention from public affairs, and resigned myself with folded arms to the care of those who are to care for us all. And, next, the hand of time pressing heavily on me, in mind as well as body, leaves to neither sufficient energy to engage in public contentions. I am sensible of the inroads daily making by the federal, into the jurisdiction of its co-ordinate associates, the State governments. The legislative and executive branches may sometimes err, but elections and dependence will bring them to rights. The judiciary branch is the instrument which, working like gravity, without intermission, is to press us at last into one consolidated mass. Against this I know no one who, equally with Judge Roane himself, possesses the power and the courage to make resistance; and to him I look, and have long looked, as our strongest bulwark. If Congress fails to shield the States from dangers so palpable and so imminent, the States must shield themselves, and meet the invader foot to foot. This is already half done by Colonel Taylor's book; because a conviction that we are right accomplishes half the difficulty of correcting wrong. This book is the most effectual retraction of our government to its original principles which has ever yet been sent by heaven to our aid. Every State in the Union should give a copy to every member they elect, as a standing instruction, and ours should set the example. Accept with Mrs. Thweat the assurance of my affectionate and respectful attachment.[1]

[1] Jefferson again wrote to Thweat:

MONTICELLO, Dec. 24, 21.

DEAR SIR,—I have duly received your two favors of Nov. 6. & Dec. 13. requesting me to consent to the publication of my opinion on the encroachments

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TO JOHN ADAMS. J. MSS.

MONTICELLO, January 22, 1821.

I was quite rejoiced, dear Sir, to see that you had health and spirits enough to take part in the late convention of your State, for revising its constitution, and to bear your share in its debates and labors. The amendments of which we have as yet heard, prove the advance of liberalism in the intervening period; and encourage a hope that the human mind will some day get back to the freedom it enjoyed two thousand years ago. This country, which has given to the world the example of physical liberty, owes to it that of moral emancipation also, for as yet it is but nominal with us. The inquisition of public opinion overwhelms in practice, the freedom asserted by the laws in theory.

of the judiciary of the U.S. expressed in a former letter to you, but my dear Sir, there is a time for things; for advancing and for retiring; for a Sabbath of rest as well as for days of labor, and surely that Sabbath has arrived for one near entering on his 80th year. Tranquility is the summum bonum of that age. I wish now for quiet, to withdraw from the broils of the world, to soothe enmities and to die in the peace and good will of all mankind. The thing too which you request has been done in substance. In the extract of a letter, published with my consent, recommending Colo. Taylor's book, and in a letter to a Mr. Jarvis, who wrote and sent me a book entitled 'the Republican,' in which letter, I formally combated his heretical doctrine that the judiciary is the ultimate expounder and arbiter of all constitutional questions. You are not aware of the inveterate hatred still rankling in the hearts of some of our old tories. I received the last summer a 4th of July oration from the son of a deceased friend. In my answer I commended it's principles in moderate and inoffensive terms, expressing at the same time my affections for his father. He published my letter, and it drew on me torrents of abuse, from particular tory papers, in the revived spirit of 96. and 1800. Their columns were filled with Billingsgate against me, for several months. No, my dear friend, permit me at length to retire from the angry passions of mankind and to pass in undisturbed repose the few days remaining to me of life. They will surely be past in sentiments of sincere esteem and respect for yourself, and affectionate attachment to Mrs. Thweat.

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Our anxieties in this quarter are all concentrated in the question, what does the Holy Alliance in and out of Congress mean to do with us on the Missouri question? And this, by-the-bye, is but the name of the case, it is only the John Doe or Richard Roe of the ejectment. The real question, as seen in the States afflicted with this unfortunate population, is, are our slaves to be presented with freedom and a dagger? For if Congress has the power to regulate the conditions of the inhabitants of the States, within the States, it will be but another exercise of that power, to declare that all shall be free. Are we then to see again Athenian and Lacedemonian confederacies? To wage another Peloponnesian war to settle the ascendency between them? Or is this the tocsin of merely a servile war? That remains to be seen; but not, I hope, by you or me. Surely, they will parley awhile, and give us time to get out of the way. What a Bedlamite is man? But let us turn from our own uneasiness to the miseries of our southern friends. Bolivar and Morillo, it seems, have come to the parley, with dispositions at length to stop the useless effusion of human blood in that quarter. I feared from the beginning, that these people were not yet sufficiently enlightened for self-government; and that after wading through blood and slaughter, they would end in military tyrannies, more or less numerous. Yet as they wished to try the experiment, I wished them success in it; they have now tried it, and will possibly find that their safest road will be an accommodation with the mother country, which shall hold

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them together by the single link of the same chief magistrate, leaving to him power enough to keep them in peace with one another, and to themselves the essential power of self-government and self-improvement, until they shall be sufficiently trained by education and habits of freedom, to walk safely by themselves. Representative government, native functionaries, a qualified negative on their laws, with a previous security by compact for freedom of commerce, freedom of the press, *habeas corpus* and trial by jury, would make a good beginning. This last would be the school in which their people might begin to learn the exercise of civil duties as well as rights. For freedom of religion they are not yet prepared. The scales of bigotry have not sufficiently fallen from their eyes, to accept it for themselves individually, much less to trust others with it. But that will come in time, as well as a general ripeness to break entirely from the parent stem. You see, my dear Sir, how easily we prescribe for others a cure for their difficulties, while we cannot cure our own. We must leave both, I believe, to heaven, and wrap ourselves up in the mantle of resignation, and of that friendship of which I tender to you the most sincere assurances.

TO GEORGE A. OTIS. J. MSS.

MONTICELLO, Feb. 15. 21.

DEAR SIR,—I have just now received your favor of Jan. 30. and confirm, by my belief, Mr. Jay's criticism on the passages quoted from Botta. I can answer for it's truth from this state

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southwardly, and Northwardly, I believe, to New York, for which state Mr. Jay is himself a competent witness. What, Eastward of that, might be the dispositions towards England before the commencement of hostilities I know not. Before that I never had heard a whisper of disposition to separate from Great Britain. And after that, it's possibility was contemplated with affliction by all. Writing is so slow and painful to me that I cannot go into details, but must refer you to Girardin's history of Virginia pa. 134. and Appendix No. 12, where you will find some evidence of what the sentiment was at the moment, and given at the moment. I salute you with great esteem & respect.

TO JUDGE SPENCER ROANE. J. MSS.

MONTICELLO, March 9, 1821.

DEAR SIR,—I am indebted for your favor of February 25th, and especially for your friendly indulgence to my excuses for retiring from the polemical world. I should not shrink from the post of duty, had not the decays of nature withdrawn me from the list of combatants. Great decline in the energies of the body import naturally a corresponding wane of the mind, and a longing after tranquillity as the last and sweetest asylum of age. It is a law of nature that the generations of men should give way, one to another, and I hope that the one now on the stage will preserve for their sons the political blessings delivered into their hands by their fathers. Time indeed changes manners and notions, and so far we must expect institutions to bend to them. But time produces also corruption of principles, and against this it is the duty of good citizens to be ever on the watch, and if the gangrene is to prevail at last, let the day be kept off as long as possible. We see already germs of this, as might be expected. But we are not the less bound to press against them. The multiplication of public offices, increase of expense beyond income, growth and entailment of a public debt, are indications soliciting the employment of the pruning-knife; and I doubt not it will be employed; good principles being as yet prevalent enough for that.

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The great object of my fear is the federal judiciary. That body, like gravity, ever acting, with noiseless foot, and unalarming advance, gaining ground step by step, and holding what it gains, is ingulphing insidiously the special governments into the jaws of that which feeds them. The recent recall to first principles, however, by Colonel Taylor, by yourself, and now by Alexander Smith, will, I hope, be heard and obeyed, and that a temporary check will be effected. Yet be not weary of well doing. Let the eye of vigilance never be closed.

Last and most portentous of all is the Missouri question. It is smeared over for the present; but its geographical demarcation is indelible. What it is to become, I see not; and leave to those who will live to see it. The University will give employment to my remaining years, and quite enough for my senile faculties. It is the last act of usefulness I can render, and could I see it open I would not ask an hour more of life. To you I hope many will still be given; and, certain they will all be employed for the good of our beloved country, I salute you with sentiments of especial friendship and respect.[1]

[1] Jefferson further wrote to Judge Roane:

MONTICELLO, June 27, 1821.

DEAR SIR,—I have received through the hands of the Governor, Colonel Taylor's letter to you. It is with extreme reluctance that I permit myself to usurp the office of an adviser of the public, what books they should read, and what not. I yield, however, on this occasion to your wish and that of Colonel Taylor, and do what (with a single exception only) I never did before, on the many similar applications made to me. On reviewing my letters to Colonel Taylor and to Mr. Thweat, neither appeared exactly proper. Each contained matter which might give offence to the judges, without adding strength to the opinion. I have, therefore, out of the two, cooked up what may be called "an extract of a letter from Th: J. to ———;" but without saying it is published *with my consent*. That would forever deprive me of the ground of declining the office of a Reviewer of books in future cases. I sincerely wish the attention of the public may be drawn to the doctrines of the book; and if this self-styled extract may contribute to it, I shall be gratified. I salute you with constant friendship and respect.

The "cooked up" commendation was:

"EXTRACT OF A LETTER FROM TH: JEFFERSON TO ———.

"I have read Colonel Taylor's book of 'Constructions Construed,' with great satisfaction, and, I will say, with edification; for I acknowledge it cor-

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TO SAMUEL H. SMITH. J. MSS.

MONTICELLO, Apr. 12. 21.

DEAR SIR,—I received yesterday your favor of the 5th and now inclose for Mr. Barton a letter of introduction to M. de la Fayette, the only personal acquaintance I have, now living in France.

On politics I can say little to you, having withdrawn all attention to them from the day of my retirement. My confidence in both my successors has been so entire, that assured that all was going on for the best under their care I have not enquired what was going on. I am sorry to see our expences greater than our income. Debt & revolution are inseparable as cause and effect. It is the point of peculiar sensibility in our people, and one which they will not long endure. Parties will be arrayed on the principle of reformation, and there can be no doubt which will

rected some errors of opinion into which I had slidden without sufficient examination. It is the most logical retraction of our governments to the original and true principles of the constitution creating them, which has appeared since the adoption of that instrument. I may not perhaps concur in all its opinions, great and small; for no two men ever thought alike on so many points. But on all its important questions, it contains the true political faith, to which every catholic republican should steadfastly hold. It should be put into the hands of all our functionaries, authoritatively, as a standing instruction, and true exposition of our Constitution, as understood at the time we agreed to it. It is a fatal heresy to suppose that either our State governments are superior to the federal, or the federal to the States. The people, to whom all authority belongs, have divided the powers of government into two distinct departments, the leading characters of which are *foreign* and domestic; and they have appointed for each a distinct set of functionaries. These they have made co-ordinate, checking and balancing each other, like the three cardinal departments in the individual States: each equally supreme as to the powers delegated to itself, and neither authorized ultimately to decide what belongs to itself, or to its coparcenor in government. As independent, in fact, as different nations, a spirit of forbearance and compromise, therefore, and not of encroachment and usurpation, is the healing balm of such a constitution; and each party should prudently shrink from all approach to the line of demarcation, instead of rashly overleaping it, or throwing grapples ahead to haul to hereafter. But, finally, the peculiar happiness of our blessed system is, that in differences of opinion between these different sets of servants, the appeal is to neither, but to their employers peaceably assembled by their representatives in Convention. This is more rational than the *jus fortioris*, or the cannon's mouth, the *ultima et sola ratio regum*."

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be the strongest. It would do some good if it would obliterate the geographical division which threatened and still threatens our separation. This last is a most fatal of all divisions as no minority will submit to be governed by a majority acting merely on a geographical principle. It has ever been my creed that the continuance of our union depends entirely on Pennsylve & Virginia, if they hold together nothing North or South will fly off. I firmly believe all the governments of Europe will become representative. The very troops sent to quell the spirit of reformn. in Naples will catch the fever & carry it back to their own country. We owe to all mankind the sacrifice of those morbid passions which would break our confederacy, the only anchor to which the hopes of the world are moored. Our thoughts and conversations are often turned to Mrs. Smith & yourself, and always affectionately. In these sentiments the family now joins me, and in tendering to you our affectionate souvenirs.

TO HENRY DEARBORN. J. MSS.

MONTICELLO, August 17, 1821.

DEAR SIR,—Your favor of the 8th came to hand yesterday evening. I hope you will never suppose your letters to be among those which are troublesome to me. They are always welcome, and it is among my great comforts to hear from my ancient colleagues, and to know that they are well. The affectionate recollection of Mrs. Dearborne, cherished by our family, will ever render her health and happiness interesting to them. You are so far astern of Mr. Adams and myself, that you must not yet talk of old age. I am happy to hear of his good health. I think he will outlive us all, I mean the Declaration-men, although our senior since the death of Colonel Floyd. It is a race in which I have no ambition to win. Man, like the fruit he eats, has his period of ripeness. Like that, too, if he continues longer hanging to the stem, it is but an useless and unsightly appendage. I rejoice with you that the State of Missouri is at length a member of our Union. Whether the question it excited is dead, or only sleepeth, I do not know. I see only that it has given resurrec-

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tion to the Hartford convention men. They have had the address, by playing on the honest feelings of our former friends, to seduce them from their kindred spirits, and to borrow their weight into the federal scale. Desperate of regaining power under political distinctions, they have adroitly wriggled into its seat under the auspices of morality, and are again in the ascendency from which their sins had hurled them. It is indeed of little consequence who governs us, if they sincerely and zealously cherish the principles of union and republicanism.

I still believe that the Western extension of our confederacy will ensure its duration, by overruling local factions, which might shake a smaller association. But whatever may be the merit or demerit of that acquisition, I divide it with my colleagues, to whose counsels I was indebted for a course of administration which, notwithstanding this late coalition of clay and brass, will, I hope, continue to receive the approbation of our country.

The portrait by Stewart was received in due time and good order, and claims, for this difficult acquisition, the thanks of the family, who join me in affectionate souvenirs of Mrs. Dearborne and yourself. My particular salutations to both flow, as ever, from the heart, continual and warm.

TO NATHANIEL MACON. J. MSS.

MONTICELLO, Aug. 19. 21.

DEAR SIR,—You have probably seen in the newspapers a letter of mine recommending Colo. Taylor's book to the notice of our fellow-citizens. I am pelted for it in print, and in letters, also complaining of the unfair use made of it by certain commentators. For this misuse I cannot be responsible. But I inclose to you my answer to one of these letters and place it in your hands as the Depository of old & sound principles and as a record of my protest against this parricide tribunal. There are two measures which if not taken, we are undone. 1st. to check these unconstitutional invasions of state rights by the federal judiciary. How? not by impeachment in the first instance, but by a strong protestation of both houses of Congress that such and such doctrines,

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advanced by the supreme court, are contrary to the constitution: and if afterwards they relapse into the same heresies, impeach and set the whole adrift. For what was the government divided into three branches, but that each should watch over the others, and oppose their usurpations? 2. To cease borrowing money & to pay off the national debt. If this cannot be done without dismissing the army & putting the ships out of commission, haul them up high and dry, and reduce the army to the lowest point at which it was ever established. There does not exist an engine so corruptive of the government and so demoralizing of the nation as a public debt. It will bring on us more ruin at home than all the enemies from abroad against whom this army and navy are to protect us. What interest have we in keeping ships in service in the Pacific Ocean? To protect a few speculative adventurers in a commerce dealing in nothing in which we have an interest. As if the Atlantic & Mediterranean were not large enough for American capital! As if commerce and not agriculture was the principle of our association! God bless you & long continue your wholesome influence in the public councils.[1]

[1] In reply to a question from Macon concerning this letter, Jefferson wrote to him:

BUCKSPRING, Oct. 20, '21.

Absence at an occasional but distant residence prevented my receiving your friendly letter of Oct. 20. till 3. d. ago. A line from good old friends is like balm to my soul. You ask me what you are to do with my letter of Sep. 19. I wrote it, my dear Sir, with no other view than to pour my thoughts into your bosom. I knew they would be safe there, and I believed they would be welcome, but if you think, as you say, that "good would be done by shewing it to *a few well tried friends*" I have no objectn to that. But ultimately you cannot do better than to throw it into the fire. My confidence, as you kindly observed, has been often abused by the publication of my ltres for the purposes of interest or vanity; and it has been to me the source of much pain to be exhibited before the public in forms not meant for them. I receive lres expressed in the most frdly & even affectionate terms, sometimes perhaps asking my opn on some subject. I cannot refuse to answer such letters, nor can I do it dryly & suspiciously. Among a score or two of such correspdts, one perhaps betrays me. I feel it mortifyingly, but conclude I had better incur one treachery than offend a score or two of good people. I sometimes expressly desire that my letters may not be publd, but this is so like requesting a man not to steal or cheat that I am ashamed of it after I have done it.

Our govmt is now taking so steady a course as to shew by what road it will pass to destruction, to wit, by consolidn first, & then corruption, it's neces-

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TO JAMES MADISON. J. MSS.

MONTICELLO, Sep. 16. 21.

DEAR SIR,—I have no doubt you have occasionally been led to reflect on the character of the duty imposed by Congress on the importation of books. Some few years ago, when the tariff was before Congress, I engaged some of our members of Congress to endeavour to get the duty repealed and wrote on the subject to some other acquaintances in Congress, and pressingly to the Secretary of the treasury. The effort was made by some members with zeal and earnestness, but it failed. The northern colleges are now proposing to make a combined effort for that purpose as you will see by the inclosed extract of a letter from Mr. Ticknor asking the co-operation of the Southern and Western institutions, & of our university particularly. Mr. Ticknor goes so ably into all the considerations justifying this step, that nothing need be added here, & especially to you; and we have only to answer his questions, whether we think with them on the subject of the tax? What should be the extent of the relaxation solicited? What mode of proceeding we think best? And whether we will co-operate in our visitatorial character? I must earnestly request your thoughts on these questions, fearful of answering them unadvisedly, and on my own opinions alone.

I think that another measure, auxiliary to that of petitioning might be employed with great effect. That is for the several institutions, in their corporate capacities, to address letters to their representatives in both houses of Congress, recommending the proposition to their advocation. Such a recommendation would certainly be respected, and might excite to activity those who

sary consequence. The engine of consolidn will be the Fedl judiciary, the two other branches the corrupted & corrupting instruments. I fear an explosion in our state legislature. I wish they may confine themselves to a strong but pacific temper. Protestn Virge is not at present in favr with her co-states. An opposn headed by her would determine all the anti-Missouri states to take the contrary side. She had better lie by therefore until the shoe shall pinch an Eastern state. Let the cry be first raised from that quarter & we may fall into it with effect. But I fear our Eastern associates wish for consolidn, in which they would be joined by the smaller states generally, but with a foot in the grave I have no right to meddle with these things. Ever & affectly.

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might otherwise be indifferent and inactive and in this way a great vote, perhaps a majority might be obtained. There is a consideration going to the injustice of the tax which might be added to those noticed by Mr. Ticknor. Books constitute capital. A library book lasts as long as a house, for hundreds of years. It is not then an article of mere consumption but fairly of capital, and often in the case of professional men, setting out in life it is their only capital. Now there is no other form of capital which is first taxed 18. per cent on the gross, and the proprietor then left to pay the same taxes in detail with others whose capital has paid no tax on the gross. Nor is there a description of men less proper to be singled out for extra taxation. Mr. Ticknor, you observe, asks a prompt answer, and I must ask it from you for the additional reason that within about a week, I set out for Bedford to remain there till the approach of winter. Be so good as to return me also the inclosed extract and be assured of my constant & affectionate friendship.

TO MRS. ELIZABETH PAGE.[1]

[NÉE MISS NELSON.]

MONTICELLO, Dec. 8, '21.

It would give me infinite pleasure, dear Madam, could I have afforded you the information requested in your favor of the 27th of Nov. respecting the sacrifices of property to the relief of his country made by the virtuous General Nelson, your father, while in office during the war of the revolution. I retired from the administration of the government in May 1781. Until that time the paper money, altho' it had been gradually depreciating from an early period, yet served the purposes of obtaining supplies, and was issued, as wanted, by the legislature. Consequently

[1] From the original in the possession of Dr. Thomas Addis Emmet of New York.

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until that period there had been no occasion for advances of money in aid of the public, by any private individual. I was succeeded as governor by Genl. Nelson. Within his period the credit of the money went rapidly down to nothing, and ceased to be offered or received. At this time came on the Northern & French armies, and to enable these to keep the field during the siege of York was probably the occasion which led the General to take on himself responsibilities for which the public credit might not perhaps be sufficient. I was entirely withdrawn from public affairs, being confined at home, first for many months by a severe domestic loss, until I was sent to Congress and thence to Europe, from whence I did not return until some time after the death of the worthy General. I then first heard mention of his losses by responsibilities for the public: and knowing his zeal, liberality & patriotism, I readily credited what I heard, altho' I knew nothing of the particulars or of their extent.

It would have been a matter of great satisfaction to me, could I by any knowlege of facts have contributed to obtain a just remuneration and relief for his family, and particularly for Mrs. Nelson, whose singular worth and goodness I have intimately known now more than half a century and whose name revives in my mind the affectionate recollections of my youth. With my regrets at this unprofitable appeal, be so kind as to tender her assurances of my continued and devoted respect, and to accept yourself those of my highest esteem and regard.

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TO THE REV. MR. HATCH.[1]

MONTICELLO, Dec. 8. 21.

DEAR SIR,—In the antient Feudal times of our good old forefathers when the Seigneur married his daughter, or knighted his son, it was the usage for his vassals to give him a year's rent extra in the name of an *Aid*. I think it as reasonable when our Pastor builds a house, that each of his flock should give him an *Aid* of a year's contribution. I inclose mine as a tribute of Justice, which of itself indeed is nothing, but as an example, if followed, may become something. In any event be pleased to accept it as an offering of duty, & a testimony of my friendly attachment and high respect.

TO JAMES PLEASANTS. J. MSS.

MONTICELLO, Dec. 26. 21.

DEAR SIR,—I learn with real regret from your favor of the 10th the several circumstances which have deprived me of the pleasure of seeing, either here or at Poplar Forest, a relation whom I have long been taught to esteem, altho I have not the advantage of his personal acquaintance. I must find my consolation in the French adage that 'tout ce qui est differe n'est pas perdu,' assuring you that no visit will be received with more welcome. My hope too of a reiteration of effort is strengthened by the presumed additional excitement of curiosity to see our University; this now draws to it numerous visitors from every part of the state & from strangers passing thro it. I can assure you there is no building in the US. so worthy of being seen, and which gives an idea so adequate of what is to be seen beyond

[1] From the original in the possession of Mr. F. G. Burnham of Morristown, New Jersey.

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the Atlantic. There, to be sure they have immensely larger and more costly masses, but nothing handsomer or in chaster style.

The balance which you mention as coming to me from Ronald's executors be so good as to have paid into the hands of Colo. Bernard Peyton my correspondent in Richmond.

I find you are to be harassed again with a bankrupt law. Could you not compromise between agriculture and commerce by passing such a law which like the bye laws of incorporate towns, should be binding on the inhabitants of such towns only, being the residence of commerce, leaving the agriculturists, inhabitants of the country, in undisturbed possession of the rights & modes of proceedings to which their habits, their interests and their partialities attach them? This would be as *uniform* as other laws of local obligation.

But you will have a more difficult task in curbing the Judiciary in their enterprises on the constitution. I doubt whether the erection of the Senate into an appellate court on Constitutional questions would be deemed an unexceptionable reliance; because it would enable the judiciary, with the representatives in Senate of one third only of our citizens, and that in a single house, to make *by construction* what they should please of the constitution, and thus bind in a double knot the other two thirds, for I believe that one third of our citizens chuse a majority of the Senate, and these too of the smaller states whose interests lead to lessen state influence, & strengthen that of the general government. A better remedy I think, and indeed the best I can devise would be to give future commissions to judges for six years (the Senatorial term) with a re-appointmentability by the president with the approbation of *both* houses. That of the H. of Repr. imports a majority of citizens, that of the Senate a majority of states and that of both a majority of the three sovereign departments of the existing government, to wit, of it's Executive & legislative branches. If this would not be independance enough, I know not what would be such, short of the total irresponsibility under which we are acting and sinning now. The independance of the judges in England on the King alone is good; but even there they are not independant on the Parliament; being removable on the joint address of both houses, by

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a vote of a majority of each, but we require a majority of one house and 2/3 of the other, a concurrence which, in practice, has been and ever will be found impossible; for the judiciary perversions of the constitution will forever be protected under the pretext of errors of judgment, which by principle are exempt from punishment. Impeachment therefore is a bugbear which they fear not at all. But they would be under some awe of the canvas of their conduct which would be open to both houses regularly every 6th year. It is a misnomer to call a government republican, in which a branch of the supreme power is independant of the nation. By this change of tenure a remedy would be held up to the states, which altho' very distant, would probably keep them quiet. In aid of this a more immediate effect would be produced by a joint protestation of both Houses of Congress, that the doctrines of the judges in the case of Cohens, adjudging a state amenable to their tribunal, and that Congress can authorize a corporation of the district of Columbia to pass any act which shall have the force of law within a state, are contrary to the provisions of the Constitution of the US. This would be effectual; as with such an avowal of Congress, no state would permit such a sentence to be carried into execution, within it's limits. If, by the distribution of the sovereign powers among three branches, they were intended to be checks on one another, the present case calls loudly for the exercise of that duty, and such a counter declaration, while proper in form, would be most salutary as a precedent.

Another most condemnable practice of the supreme court to be corrected is that of cooking up a decision in Caucus & delivering it by one of their members as the opinion of the court, without the possibility of our knowing how many, who, and for what reasons each member concurred. This compleatly defeats the possibility of impeachment by smothering evidence. A regard for character in each being now the only hold we can have of them, we should hold fast to it. They would, were they to give their opinions seriatim and publicly, endeavor to justify themselves to the world by explaining the reasons which led to their opinion. While Edmd Randolph was attorney general, he was charged on a particular occasion by the H. of R. to prepare a digest and

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some amendments to the judiciary law. One of the amendments he proposed was that every judge should give his individual opinion, and reasons in open court, which opinions and reasons should be recorded in a separate book to be published occasionally in the nature of Reports. Other business prevented Congress from acting then on the bill. Such a provision would produce valuable effect and emulation in forming an opinion and correctly reasoning on it; and would give us Reports, unswelled by the arguments of counsel and within the compass of our reading and book shelves. But these things belong to the present generation, who are to live under them. The machine, as it is, will, I believe, last my time, and those coming after will know how to repair it to their own minds. I cannot help sometimes yielding to senile garrulity on matters not belonging to me, yet I pray not to be quoted, but pardoned for this weakness of age. With my prayers that our constitution may 'perpetuum durare per aevum' accept the assurances of my affectionate esteem and respect.

TO THOMAS MANN RANDOLPH. J. MSS.

MONTICELLO, Dec. 31. 21.

DEAR SIR,—The inclosed paper was handed to me by our dear Martha with a request that I would consider it, and say to you what I think of it. General Taylor has certainly stated the objections to Mr. Hackley's claim so fairly, fully and powerfully, that I need not repeat them, observing only that in mentioning the notice which Erving had of the negociation with Alagon, he does not mention Mr. Hackley's notice, who on the 29th of May 1819 took a conveyance from Alagon with a full knolege that 3. months before, the US. had by treaty become proprietors of the whole province, and with an express annulment of the very title he was purchasing. This is more than a set off against the implied notice of our government thro Erving. However the circumstance of notice, duly examined, has little weight in the case. The effect of the ratification is the true point, & that on which Genl. Taylor very properly rests it, and on which it will turn. On that two questions will arise.

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1. Did the ratification by the Cortes extend to the 2d & 3d articles only and not to the 8th and it's subsequent explanations of the extent of these articles? If we are to decide this question for ourselves (doubting the judgment of our government) we should have the act of the Cortes before us, to examine critically it's precise terms. But that I presume we have not; as Genl. Taylor seems to take his information of it from the recital in the preamble of the Spanish ratification, that 'the consent and authority of the general Cortes with respect to the occasion mentioned and stipulated in the 2d and 3d articles, had been first obtained.' May not this mean that they had consented to all the articles which respect the cession mentioned in the 2d and 3d? Is it a necessary inference from this that the Cortes had not consented to any other article, and especially the 8th and it's explanations which respect the cession mentioned in the 2d and 3d, and their extent? Which is most probable, that the Cortes refused their assent to that article? or that the King omitted to communicate it to them? or that, altho' the fact of consent might be material, it's mention in the recital being unnecessary & superfluous, might be neither fully nor critically made? Again, when we consider that our government (informed that grants had been made to Alagon, Punon Rostro & de Vargas, subsequent in truth to Jan. 24. 18. but antedated fraudulently to bring them within the treaty, which grants covered nearly the whole country, from the boundary of the US. to the sea) made their nullification a sine que non of the treaty, that they pertinaciously continued to refuse concluding it until their nullification was agreed to, can we believe they did conclude without knowing that the ratification of this article was as formal and firm as that of the articles it respected and explained? Did they mean to deceive their country and palm upon us a fallacious instrument? or were they deceived themselves, that is to say, the President, all the heads of departments, the Atty General, and the whole Senate, as having less knolege than we have of what was a valid ratification? I confess that these considerations have weight with me when opposed to the opinion of Genl. Taylor as to the validity of the ratification.

2. But a second question may be made, whether the ratification of the Cortes was necessary? Whether the constitution pro-

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posed by them for the colonies had authority in them until accepted in each colony respectively? The inhabitants of the colonies themselves, our government and our nation, certainly deny that it could, on principle, be in force in any colony without it's consent; and at the date of the ratification, not a single colony had accepted, nor do I know that a single one has done it to this day. I think myself certain that the Floridas have not. The old government continued in them to the day of their surrender; and under the old government, a cession of territory and ratification by the king was conclusive. Of this the cession of the same countries by the king to England, that of a degree of latitude of them to the US. and that of Louisiana to France are sufficient proofs.

It is with real reluctance that I feel or express any doubts adverse to the interests of Mr. Hackley. I do it to yourself only, and with a wish not to be quoted, as well to avoid injury to him, as the implication of myself in anything controversial. I am far from having strong confidence in doubts of what two such able jurists have decided; yet for Mr. Hackley's sake I anxiously wish that he should not be so far over-confident in the certainty of these opinions as to enter into any warranties of title in the portions he may dispose of. These vast grants of land are entirely against the policy of our government. They have ever set their faces most decidedly against such monopolies. In all their sales of land they have taken every measure they could devise to prevent speculations in them by purchases to sell again, & to provide that sales should be made to settlers alone. On this ground Mr. Hackley will have to contend against prejudices deeply rooted. These might perhaps be somewhat softened if, instead of taking adverse possession, which the President is bound to remove summarily by the military, he were to make to Congress a full and candid statement of the considerations he has paid, or the sacrifices made, of which these lands are the compensation. They might in that case make him such a grant as would amount to a liberal indemnification.

I shall ever studiously avoid expressing to any person any doubt which might injure Mr. Hackley's prospects from this source, and sincerely wish him the most can be made of them.

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I renew to yourself affectionate assurances of attachment and respect.

TO THOMAS RITCHIE. J. MSS.

MONTO. Jan. 7. 22.

DR. SIR,—I see with much concern in your paper of the 3d that they are endeavoring to compromit me on the subject of the next President. The informn said to come from a gent. from Columbia is totally unfounded, & you will observe that the Augusta Chronicle which cited me as giving an acct. of the same Caucus says not a word of any letter from me. For all of the gentlemen named as subjects of the future election I have the highest esteem and should much regret that they should suppose me to take any part in it. I entirely and decidedly withdraw myself from all intermeddling in matters of this nature. You will oblige me by inserting in your paper some such contribution as below[1] in a form not importing to come directly from myself. It is the more necessary as you seem to have given credit to it. I salute you with frdshp & resp.

TO JEDEDIAH MORSE. J. MSS.

MONTICELLO, March 6, 1822.

SIR,—I have duly received your letter of February the 16th, and have now to express my sense of the honorable station proposed to my ex-brethren and myself, in the constitution of the society for the civilization and improvement of the Indian tribes. The object too, expressed as that of the association, is one which I have ever had much at heart, and never omitted an occasion

[1] "In our paper of the 3d, under the head of the 'next President' we quoted from the Petersbg Intelligencer the information of a Gentleman from Columbia S. C. mentioning that in a Caucus of members assembled there for the nomin of a President a letter was read from Mr. Jefferson pointing to this object. We are authorized by a friend of Mr. J's much in his society & intimacy to declare that that Gent. never wrote such a letter, never put pen to paper on that subject, and studiously avoids all conversn on it."

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of promoting while I have been in situations to do it with effect, and nothing, even now, in the calm of age and retirement, would excite in me a more lively interest than an approvable plan of raising that respectable and unfortunate people from the state of physical and moral abjection, to which they have been reduced by circumstances foreign to them. That the plan now proposed is entitled to unmixed approbation, I am not prepared to say, after mature consideration, and with all the partialities which its professed object would rightfully claim from me.

I shall not undertake to draw the line of demarcation between private associations of laudable views and unimposing numbers, and those whose magnitude may rivalize and jeopardize the march of regular government. Yet such a line does exist. I have seen the days, they were those which preceded the revolution, when even this last and perilous engine became necessary; but they were days which no man would wish to see a second time. That was the case where the regular authorities of the government had combined against the rights of the people, and no means of correction remained to them but to organize a collateral power, which, with their support, might rescue and secure their violated rights. But such is not the case with our government. We need hazard no collateral power, which, by a change of its original views, and assumption of others we know not how virtuous or how mischievous, would be ready organized and in force sufficient to shake the established foundations of society, and endanger its peace and the principles on which it is based. Is not the machine now proposed of this gigantic stature? It is to consist of the ex-Presidents of the United States, the Vice President, the Heads of all the executive departments, the members of the supreme judiciary, the Governors of the several States and territories, all the members of both Houses of Congress, all the general officers of the army, the commissioners of the navy, all Presidents and Professors of colleges and theological seminaries, all the clergy of the United States, the Presidents and Secretaries of all associations having relation to Indians, all commanding officers within or near Indian territories, all Indian superintendents and agents; all these *ex officio;* and as many private individuals as will pay a certain price for membership.

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Observe, too, that the clergy will constitute[1] nineteen twentieths of this association, and, by the law of the majority, may command the twentieth part, which, composed of all the high authorities of the United States, civil and military, may be outvoted and wielded by the nineteen parts with uncontrollable power, both as to purpose and process. Can this formidable array be reviewed without dismay? It will be said, that in this association will be all the confidential officers of the government; the choice of the people themselves. No man on earth has more implicit confidence than myself in the integrity and discretion of this chosen band of servants. But is confidence or discretion, or is *strict limit*, the principle of our constitution? It will comprehend, indeed, all the functionaries of the government; but seceded from their constitutional stations as guardians of the nation, and acting not by the laws of their station, but by those of a voluntary society, having no limit to their purposes but the same will which constitutes their existence. It will be the authorities of the people and all influential characters from among them, arrayed on one side, and on the other the people themselves deserted by their leaders. It is a fearful array. It will be said that these are imaginary fears. I know they are so at present. I know it is as impossible for these agents of our choice and unbounded confidence, to harbor machinations against the adored principles of our constitution, as for gravity to change its direction, and gravid bodies to mount upwards. The fears are indeed imaginary, but the example is *real*. Under its authority, as a precedent, future associations will arise with objects at which we should shudder at this time. The society of Jacobins, in another country, was instituted on principles and views as virtuous as ever kindled the hearts of patriots. It was the pure patriotism of their purposes which extended their association to the limits of the nation, and rendered their power within it boundless; and it was this power which degenerated their principles and practices to such enormities as never before could have been imagined. Yet these

[1] The clergy of the United States may probably be estimated at eight thousand. The residue of this society at four hundred; but if the former number be halved, the reasoning will be the same.—*T. J.*

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were men, and we and our descendants will be no more. The present is a case where, if ever, we are to guard against ourselves; not against ourselves as we are, but as we may be; for who can now imagine what we may become under circumstances not now imaginable? The object of this institution, seems to require so hazardous an example as little as any which could be proposed. The government is, at this time, going on with the process of civilizing the Indians, on a plan probably as promising as any one of us is able to devise, and with resources more competent than we could expect to command by voluntary taxation. Is it that the new characters called into association with those of the government, are wiser than these? Is it that a plan originated by a meeting of private individuals is better than that prepared by the concentrated wisdom of the nation, of men not self-chosen, but clothed with the full confidence of the people? Is it that there is no danger that a new authority, marching, independently, along side of the government, in the same line and to the same object, may not produce collision, may not thwart and obstruct the operations of the government, or wrest the object entirely from their hands? Might we not as well appoint a committee for each department of the government, to counsel and direct its head separately, as volunteer ourselves to counsel and direct the whole, in mass? And might we not do it as well for their foreign, their fiscal, and their military, as for their Indian affairs? And how many societies, auxiliary to the government, may we expect to see spring up, in imitation of this, offering to associate themselves in this and that of its functions? In a word, why not take the government out of its constitutional hands, associate them indeed with us, to preserve a semblance that the acts are theirs, but insuring them to be our own by allowing them a minor vote only?

These considerations have impressed my mind with a force so irresistible, that (in duty bound to answer your polite letter, without which I should not have obtruded an opinion) I have not been able to withhold the expression of them. Not knowing the individuals who have proposed this plan, I cannot be conceived as entertaining personal disrespect for them. On the contrary, I see in the printed list persons for whom I cherish sentiments of sin-

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cere friendship, and others, for whose opinions and purity of purpose I have the highest respect. Yet thinking as I do, that this association is unnecessary; that the government is proceeding to the same object under control of the law; that they are competent to it in wisdom, in means, and inclination; that this association, this wheel within a wheel, is more likely to produce collision than aid; and that it is, in its magnitude, of dangerous example; I am bound to say, that, as a dutiful citizen, I cannot in conscience become a member of this society, possessing as it does my entire confidence in the integrity of its views. I feel with awe the weight of opinion to which I may be opposed, and that, for myself, I have need to ask the indulgence of a belief that the opinion I have given is the best result I can deduce from my own reason and experience, and that it is sincerely conscientious. Repeating, therefore, my just acknowledgments for the honor proposed to me, I beg leave to add the assurances to the society and yourself of my highest confidence and consideration.[1]

[1] Jefferson, before writing this, had written to Madison:

MONTICELLO, Feb. 25, 22.

DEAR SIR,—I have no doubt you have received, as I have done, a letter from Dr. Morse with a printed pamphlet, proposing to us a place in a self-constituted society for the civilisation of the Indian &c. I am anxious to know your thoughts on the subject because they would affect my confidence in my own. I disapprove the proposition altogether. I acknolege the right of voluntary associations for laudable purposes and in moderate numbers. I acknolege too the expediency, for revolutionary purposes, of general associations, coextensive with the nation. But where, as in our case, no abuses call for revolution, voluntary associations so extensive as to grapple with & controul the government, should such be or become their purpose, are dangerous machines, and should be frowned down in every regulated government. Here is one proposed to comprehend all the functionaries of the government executive, legislative & Judiciary, all officers of the army or navy, governors of the states, learned institutions, the whole body of the clergy who will be 19/20 of the whole association, and as many other individuals as can be enlisted for 5. D. apiece. For what object? One which the government is pursuing with superior means, superior wisdom, and under limits of legal prescription. And by whom? A half dozen or dozen private individuals, of whom we know neither the number nor names, except of Elias B. Caldwell their foreman, Jedediah Morse of Ocean memory their present Secretary & in petto their future agent, &c. These clubbists of Washington, who from their residence there will be the real society, have undertaken to embody even the government itself into an instrument to be wielded by themselves and

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TO MESSRS. RITCHIE AND GOOCH. J. MSS.

MONTICELLO, May 13, 1822.

MESSRS. RITCHIE AND GOOCH,—I am thankful to you for the paper you have been so kind as to send me, containing the arraignment of the Presidents of the United States generally, as peculators or accessories to peculation, by an informer who masks himself under the signature of "a Native Virginian."

for purposes directed by themselves. Observe that they omit the President's name, and for reasons too flimsy to be the true ones. No doubt they have proposed it to him, and his prudence has refused his name. And shall we suffer ourselves to be constituted into tools by such an authority? Who, after this example, may not impress us into their purposes? Feeling that the association is unnecessary, presumptuous & of dangerous example, my present impression is to decline membership, to give my reasons for it, in terms of respect, but with frankness, but as the answer is not pressing, I suspend it until I can hear from you in the hope you will exchange thoughts with me, that I may shape my answer as much in conformity with yours as coincidence in our views of the subject may admit: and I will pray to hear from you by the first mail. Ever & affectionately yours.

He also wrote to Monroe:

MONTICELLO, Mar. 19. 22.

DEAR SIR,—Your favor of Mar. 14. has been duly received. In that you ask if my letter to Mr. Morse may be communicated to the gentlemen of the administration and other friends. In the first place the former are entitled to it's communication from Mr. Morse as named members of his society. But independantly of that, a letter addressed to a society of 6. or 8000 people is de facto made public. I had supposed it possible indeed that the society or some of it's members might perhaps publish it as the only practicable means of communicating it to so extensive an association. This would be best, because Mr. Morse might otherwise consider it as done by myself, and that it was a gauntlet thrown down to challenge him into the Arena of the public papers; and should he take it up, I should certainly prove a recreant knight, and never meet him in that field. But do in this whatever you please. I abandon the letter to any good it may answer. With respect to Spanish America I think you have taken the exact point of time for recognizing it's independance, neither sooner nor later. I give whatever credit they merit to those who are glorifying themselves on their premature advice to have done it 3. or 4. years ago. We have preserved the approbation of nations, and yet taken the station we were entitled to of being the first to receive & welcome them as brothers into the family of nations. Affectionate & respectful salutations.

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What relates to myself in this paper, (being his No. VI., and the only No. I have seen,) I had before read in the "Federal Republican" of Baltimore, of August 28th, which was sent to me by a friend, with the real name of the author. It was published there during the ferment of a warmly-contested election. I considered it, therefore, as an electioneering manœuvre merely, and did not even think it required the trouble of recollecting, after a lapse of thirty-three years, the circumstances of the case in which he charges me with having purloined from the treasury of the United States the sum of $1,148. But as he has thought it worth repeating in his Roll of informations against your Presidents nominally, I shall give the truths of the case, which he has omitted, perhaps because he did not know them, and ventured too inconsiderately to supply them from his own conjectures.

On the return from my mission to France, and joining the government here, in the spring of 1790, I had a long and heavy account to settle with the United States, of the administration of their pecuniary affairs in Europe, of which the superintendence had been confided to me while there. I gave in my account early, but the pressure of other business did not permit the accounting officers to attend to it till October 10th, 1792, when we settled, and a balance of $888 67 appearing to be due from me, (but erroneously as will be shown,) I paid the money the same day, delivered up my vouchers, and received a certificate of it. But still the articles of my draughts on the bankers could be only *provisionally* past; until their accounts also should be received to be confronted with mine. And it was not till the 24th of June, 1804, that I received a letter from Mr. Richard Harrison the auditor, informing me "that my accounts, as Minister to France, had been adjusted and closed," adding, "the bill drawn and credited by you under date of the 21st of October, 1789, for banco florins 2,800, having never yet appeared in any account of the Dutch bankers, stand at your debit only as a *provisional* charge. If it should hereafter turn out, as I incline to think it will, that this bill has never been negotiated or used by Mr. Grand, you will have a just claim on the public for its value." This was the first intimation to me that I had too hastily charged myself with that draught. I determined, however, as I had allowed it in my account, and paid

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up the balance it had produced against me, to let it remain awhile, as there was a possibility that the draught might still be presented by the holder to the bankers; and so it remained till I was near leaving Washington, on my final retirement from the administration in 1809. I then received from the auditor, Mr. Harrison, the following note: "Mr. Jefferson, in his accounts as late Minister to France, credited among other sums, a bill drawn by him on the 21st October, 1789, to the order of Grand & Co., on the bankers of the United States at Amsterdam, f. Banco f. 2,800, equal with *agio* to current florins 2,870, and which was charged to him *provisionally* in the official statement made at the Treasury, in the month of October, 1804. But as this bill has not yet been noticed in any account rendered by the bankers, the presumption is strong that it was never negotiated or presented for payment, and Mr. Jefferson, therefore, appears justly entitled to receive the value of it, which, at forty cents the gilder, (the rate at which it was estimated in the above-mentioned statement,) amounts to $1,148. Auditor's office, January 24th, 1809."

Desirous of leaving nothing unsettled behind me, I drew the money from the treasury, but without any interest, although I had let it lie there twenty years, and had actually on that error paid $888 67, an apparent balance against me, when the true balance was in my favor $259 33. The question then is, how has this happened? I have examined minutely, and can state it clearly.

Turning to my pocket diary I find that on the 21st day of October, 1789, the date of this bill, I was at Cowes in England, on my return to the United States. The entry in my diary is in these words: "1789, October 21st. Sent to Grand & Co., letter of credit on Willinks, Van Staphorsts and Hubbard, for 2,800 florins Banco." And I immediately credited it in my account with the United States in the following words: "1789, October 21. By my bill on Willinks, Van Staphorsts and Hubbard, in favor of Grand & Co., for 2,800 florins, equal to 6,230 livres 18 sous." My account having been kept in livres and sous of France, the auditor settled this sum at the current exchange, making it $1,148. This bill, drawn at Cowes in England, had to pass through London to Paris by the English and French mails, in which passage it was lost, by some unknown accident, to which

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it was the more exposed in the French mail, by the confusion then prevailing; for it was exactly at the time that martial law was proclaimed at Paris, the country all up in arms, and executions by the mobs were daily perpetrating through town and country. However this may have been, the bill never got to the hands of Grand & Co., was never, of course, forwarded by them to the bankers of Amsterdam, nor anything more ever heard of it. The auditor's first conjecture then was the true one, that it never was negotiated, nor therefore charged to the United States in any of the bankers' accounts. I have now under my eye a duplicate furnished me by Grand of his account of that date against the United States, and his private account against myself, and I affirm that he has not noticed this bill in either of these accounts, and the auditor assures us the Dutch bankers had never charged it. The sum of the whole then is, that I drew a bill on the United States bankers, charged myself with it on the presumption it would be paid, that it never was paid however, either by the bankers of the United States, or anybody else. It was surely just then to return me the money I had paid for it. Yet "the Native Virginian" thinks that this act of receiving back the money I had thus through error overpaid, "*was a palpable and manifest act of moral turpitude, about which no two honest, impartial men can possibly differ.*" I ascribe these hard expressions to the ardor of his zeal for the public good, and as they contain neither argument nor proof, I pass them over without observation. Indeed, I have not been in the habit of noticing these morbid ejections of spleen either with or without the names of those venting them. But I have thought it a duty on the present occasion to relieve my fellow citizens and my country from the degradation in the eyes of the world to which this informer is endeavoring to reduce it by representing it as governed hitherto by a succession of swindlers and peculators. Nor shall I notice any further endeavors to prove or to palliate this palpable misinformation. I am too old and inert to undertake minute investigations of intricate transactions of the last century; and I am not afraid to trust to the justice and good sense of my fellow-citizens on future, as on former attempts to lessen me in their esteem.

I ask of you, gentlemen, the insertion of this letter in your pa-

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per; and I trust that the printers who have hazarded the publication of the libel, on anonymous authority, will think that of the answer a moderate retribution of the wrong to which they have been accessory.[1]

[1] Once more Jefferson wrote to Ritchie and Gooch:

MONTICELLO, June 10, 1822.

MESSRS. RITCHIE AND GOOCH,—In my letter to you of May 13th, in answer to a charge by a person signing himself "A Native Virginian," that on a bill drawn by me for a sum equivalent to $1,148, the treasury of the United States had made *double payment*, I supposed I had done as much as would be required when I showed they had only returned to me money which I had previously paid into the treasury on the presumption that such a bill had been paid for me, but that this bill being lost or destroyed on the way, had never been presented, consequently never paid by the United States, and that the money was therefore returned to me. This being too plain for controversy, the pseudo Native of Virginia, in his reply, No. 32, in the Federal Republican of May 24th, reduces himself ultimately to the ground of a *double receipt* of the money by me, first on sale or negotiation of the bill in Europe, and a second time from the treasury. But the bill was never sold or negotiated anywhere. It was not drawn to raise money in the market. I sold it to nobody, received no money on it, but enclosed it to Grand & Co. for some purpose of account, for what particular purpose neither my memory, after a lapse of thirty-three years, nor my papers enable me to say. Had I preserved a copy of my letter to Grand enclosing the bill, that would doubtless have explained the purpose. But it was drawn on the eve of my embarkation with my family from Cowes for America, and probably the hurry of preparation for that did not allow me time to take a copy. I presume this because I find no such letter among my papers. Nor does any subsequent correspondence with Grand explain it, because I had no private account with him; my account as minister being kept with the treasury directly, so that he, receiving no intimation of this bill, could never give me notice of its miscarriage. But, however satisfactory might have been an explanation of the purpose of the bill, it is unnecessary at least; the material fact being established that it never got to hand, nor was ever paid by the United States.

And how does the Native Virginian maintain his charge that I received the cash when I drew the bill? by unceremoniously inserting into the entry of that article in my account, words of his own, making me say in direct terms that I did receive the cash for the bill. In my account rendered to the treasury, it is entered in these words: "1789, Oct. 1. By my bill on Willincks, Van Staphorsts & Hubbard in favor of Grand & Co. for 2,800 florins, equal to 6,230 livres 18 sous;" but he quotes it as stated in my account rendered to and settled at the treasury, and yet remaining, as it is to be presumed, among the archives of that department, "*By cash received of Grand* for bill on Willincks, &c." Now the words "*cash received of Grand*" constitute "the very point, the pivot, on

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TO JOHN ADAMS. J. MSS.

MONTICELLO, June 1, 1822.

It is very long, my dear Sir, since I have written to you. My dislocated wrist is now become so stiff that I write slow and with pain, and therefore write as little as I can. Yet it is due to mutual friendship to ask once in awhile how we do? The papers tell

which the matter turns," as himself says, and not finding, he has furnished them. Although the interpolation of them is sufficiently refuted by the fact that Grand was, at the time, in France, and myself in England, yet wishing that conviction of the interpolation should be founded on official document, I wrote to the auditor, Mr. Harrison, requesting an official certificate of the *very words* in which that article stood in my autograph account deposited in the office. I received yesterday his answer of the 3d, in which he says, "I am unable to furnish the extract you require, as the original account rendered by you of your pecuniary transactions of a public nature in Europe, together with the vouchers and documents connected with it, were all destroyed in the Register's office in the memorable conflagration of 1814. With respect, therefore, to the sum of $1,148 in question, I can only say that, after full and repeated examinations, I considered you as most righteously and justly entitled to receive it. Otherwise, it will, I trust, be believed that I could not have consented to the re-payment." Considering the intimacy which the Native Virginian shows with the treasury affairs, we might be justified in suspecting that he knew this fact of the destruction of the original by fire when he ventured to misquote. But certainly we may call on him to say, and to show, from what original he copied these words: "cash received from Grand"? I say, most assuredly, from none, for none such ever existed. Although the original be lost, which would have convicted him officially, it happens that when I made from my rough draft a fair copy of my account for the treasury, I took also, with a copying-machine, a press-copy of every page, which I kept for my own use. It is known that copies by this well-known machine are taken by impression on damp paper laid on the face of the written page while fresh, and passed between rollers as copper plates are. They must therefore be true *fac similies*. This press-copy now lies before me, has been shown to several persons, and will be shown to as many as wish or are willing to examine it; and this article of my account is entered in it in these words: "1789, Oct. 1. By my bill on Willincks, Van Staphorsts & Hubbard for 2,800 florins, equal to 6,230 livres 18 sous." An inspection of the account, too, shows that whenever I received *cash* for a bill, it is uniformly entered "by cash received of such an one, &c.;" but where a bill was drawn to constitute an item of account only, the entry is "by my bill on, &c." Now to these very words "cash received of Grand," not in my original but interpo-

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us that General Starke is off at the age of 93. Charles Thomson still lives at about the same age, cheerful, slender as a grasshopper, and so much without memory that he scarcely recognizes the members of his household. An intimate friend of his called on him not long since; it was difficult to make him recollect

lated by himself, he constantly appeals as proofs of an acknowledgment *under my own hand* that *I received the cash*. In proof of this, I must request patience to read the following quotations from his denunciations as standing in the Federal Republican of May 24:

Page 2, column 2, l. 48 to 29 from the bottom, "he [Mr. J.] admits in his account rendered in 1790 and settled in 1792, that he had *received the 'cash,'* [placing the word *cash* between inverted commas to have it marked particularly as a quotation] that he had *received the 'cash'* for the bill in question, and he does not directly deny it now. Will he, can he, in the *face of his own declaration in writing* to the contrary, publicly say that he did not receive the money for this bill in Europe? This is *the point* on which the whole matter rests, the *pivot* on which the arguments turn. If he did receive the money in Europe, (no matter whether at Cowes or at Paris,) he certainly had no right to receive it a second time from the public treasury of the United States. This is admitted I believe on all sides. Now, *that he did receive the money in Europe* on this bill, is proved by the *acknowledgment of the receiver himself*, who credits the amount in his account as settled at the treasury thus: '*cash received of Grand* for bill on Willincks, Van Staphorsts, 2,876 gilders, 1,148 dollars.'"

Col. 3, l. 28 to 21 from bottom. "There is a plain difference in the phraseology of the account, from which an extract is given by Mr. J. as above, and that *which he rendered to the Treasury*. In the former he gives the credit thus, 'By my bills on Willincks,' &c. In the latter he states, 'By *cash received of Grand* for bill on Willincks,' &c." There is a difference, indeed, as he states it, but it is made solely by his own interpolation.

Col. 3, l. 8, from bottom. "That Mr. Jefferson should, in the very teeth of the facts of the evidence before us, and in his own breast, gravely say that he had paid the money for this bill, and that therefore it was but just to return him the amount of it, when he had, *by his own acknowledgment*, sent it to Grand & Co., and *received the money for it*, is, I confess, not only matter of utter astonishment but regret." I spare myself the qualifications which these paragraphs may merit, leaving them to be applied by every reader according to the feelings they may excite in his own breast.

He proceeds: "And now to place this case beyond the reach of cavil or doubt, and to show *most conclusively* that he had negotiated this bill in Europe, and *received the cash* for it there, and that such was the understanding of the matter at the treasury in 1809, when he received the money." These are his

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who he was, and, sitting one hour, he told him the same story four times over. Is this life?

> " With lab'ring step
> To tread our former footsteps? pace the round
> Eternal?—to beat and beat
> The beaten track? to see what we have seen,
> To taste the tasted? o'er our palates to decant
> Another vintage?"

It is at most but the life of a cabbage; surely not

own words. Col. 4, he brings forward the overwhelming fact "not hitherto made public but stated from the most creditable and authentic source, that one of the accounting officers of the treasury suggested in writing the propriety of taking bond and security from Mr. J., for indemnification of the United States against any future claim on this bill. But it seems the bond was not taken, and the government is now liable in law, and in good faith for the payment of this bill to the rightful owner." How this suggestion of taking bond at the treasury, so solemnly paraded, is *more conclusive* proof than his own interpolation, that the *cash was received*, I am so dull as not to perceive; but I say, that had the suggestion been made to me, it would have been instantly complied with. But I deny his law. Were the bill now to be presented to the treasury, the answer would and should be the same as a merchant would give: "You have held up this bill three and thirty years without notice; we have settled in the meantime with the drawer, and have no effects of his left in our hands. Apply to him for payment." On his application to me, I should first inquire into the history of the bill; where it had been lurking for three and thirty years? how came he by it? by interception? by trover? by assignment from Grand? by purchase? from whom, when and where? And according to his answers I should either institute criminal process against him, or if he showed that all was fair and honest, I should pay him the money, and look for reimbursement to the quarter appearing liable. The law deems seven years' absence of a man, without being heard of, such presumptive evidence of his death, as to distribute his estate, and to allow his wife to marry again. The Auditor thought that twenty years non-appearance of a bill which had been risked through the post-offices of two nations, was sufficient presumption of its loss. But this self-styled native of Virginia thinks that the thirty-three years now elapsed are not sufficient. Be it so. If the accounting officers of the treasury have any uneasiness on that subject, I am ready to give a bond of indemnification to the United States in any sum the officers will name, and with the security which themselves shall approve. Will this satisfy the native Virginian? or will he now try to pick some other hole in this transaction, to shield himself from a candid acknowledgment, that in making up his case, he supplied by gratuitous conjectures, the facts which were not

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worth a wish. When all our faculties have left, or are leaving us, one by one, sight, hearing, memory, every avenue of pleasing sensation is closed, and athumy, debility and malaise left in their places, when friends of our youth are all gone, and a generation is risen around us whom we know not, is death an evil?

When one by one our ties are torn,
And friend from friend is snatched forlorn,
When man is left alone to mourn,
Oh! then how sweet it is to die!
When trembling limbs refuse their weight,
And films slow gathering dim the sight,
When clouds obscure the mental light
'T is nature's kindest boon to die!

I really think so. I have ever dreaded a doting old age; and my health has been generally so good, and is now so good, that I dread it still. The rapid decline of my strength during the last winter has made me hope sometimes that I see land. During summer I enjoy its temperature, but I shudder at the approach of winter, and wish I could sleep through it with the Dormouse, and only wake with him in spring, if ever. They say that Starke could walk about his room. I am told you walk well and firmly. I can only reach my garden, and that with sensible fatigue. I ride, however, daily. But reading is my delight. I should

within his knowledge, and that thus he has sinned against truth in his declarations before the public? Be this as it may, I have so much confidence in the discernment and candor of my fellow-citizens, as to leave to their judgment, and dismiss from my own notice any future torture of words or circumstances which this writer may devise for their deception. Indeed, could such a denunciation, and on such proof, bereave me of that confidence and consolation, I should, through the remainder of life, brood over the afflicting belief that I had lived and labored in vain.

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wish never to put pen to paper; and the more because of the treacherous practice some people have of publishing one's letters without leave. Lord Mansfield declared it a breach of trust, and punishable at law. I think it should be a penitentiary felony; yet you will have seen that they have drawn me out into the arena of the newspapers; although I know it is too late for me to buckle on the armor of youth, yet my indignation would not permit me passively to receive the kick of an ass.

To turn to the news of the day, it seems that the Cannibals of Europe are going to eating one another again. A war between Russia and Turkey is like the battle of the kite and snake. Whichever destroys the other, leaves a destroyer the less for the world. This pugnacious humor of mankind seems to be the law of his nature, one of the obstacles to too great multiplication provided in the mechanism of the Universe. The cocks of the henyard kill one another up. Bears, bulls, rams, do the same. And the horse, in his wild state, kills all the young males, until worn down with age and war, some vigorous youth kills him, and takes to himself the Harem of females. I hope we shall prove how much happier for man the Quaker policy is, and that the life of the feeder, is better than that of the fighter; and it is some consolation that the desolation by these maniacs of one part of the earth is the means of improving it in other parts. Let the latter be our office, and let us milk the cow, while the Russian holds her by the horns, and the Turk by the tail. God bless you, and give you

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health, strength, and good spirits, and as much of life as you think worth having.[1]

[1] In reply to a question from Adams, Jefferson further wrote :

MONTICELLO, June 27, 1822.

DEAR SIR,—Your kind letter of the 11th has given me great satisfaction. For although I could not doubt but that the hand of age was pressing heavily on you, as on myself, yet we like to know the particulars and the degree of that pressure. Much reflection, too, has been produced by your suggestion of lending my letter of the 1st, to a printer. I have generally great aversion to the insertion of my letters in the public papers ; because of my passion for quiet retirement, and never to be exhibited in scenes on the public stage. Nor am I unmindful of the precept of Horace, "*solvere senescentem, mature sanus equum, ne peccet ad extremum ridendus.*" In the present case, however, I see a possibility that this might aid in producing the very quiet after which I pant. I do not know how far you may suffer, as I do, under the persecution of letters, of which every mail brings a fresh load. They are letters of inquiry, for the most part, always of good will, sometimes from friends whom I esteem, but much oftener from persons whose names are unknown to me, but written kindly and civilly, and to which, therefore, civility requires answers. Perhaps, the better known failure of your hand in its function of writing, may shield you in greater degree from this distress, and so far qualify the misfortune of its disability. I happened to turn to my letter-list some time ago, and a curiosity was excited to count those received in a single year. It was the year before the last. I found the number to be one thousand two hundred and sixty-seven, many of them requiring answers of elaborate research, and all to be answered with due attention and consideration. Take an average of this number for a week or a day, and I will repeat the question suggested by other considerations in mine of the 1st. Is this life? At best it is but the life of a mill-horse, who sees no end to his circle but in death. To such a life, that of a cabbage is paradise. It occurs then, that my condition of existence, truly stated in that letter, if better known, might check the kind indiscretions which are so heavily oppressing the departing hours of life. Such a relief would, to me, be an ineffable blessing. But yours of the 11th, equally interesting and affecting, should accompany that to which it is an answer. The two, taken together, would excite a joint interest, and place before our fellow-citizens the present condition of two ancient servants, who having faithfully performed their forty or fifty campaigns, *stipendiis omnibus expletis*, have a reasonable claim to repose from all disturbance in the sanctuary of invalids and superannuates. But some device should be thought of for their getting before the public otherwise than by our own publication. Your printer, perhaps, could frame something plausible. Thomson's name should be left blank, as his picture, should it meet his eye, might give him pain. I consign, however, the whole subject to your consideration, to do in it whatever your own judgment shall approve, and repeat always, with truth, the assurance of my constant and affectionate friendship and respect.

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TO DOCTOR BENJAMIN WATERHOUSE. J. MSS.

MONTICELLO, June 26, 1822.

DEAR SIR,—I have received and read with thankfulness and pleasure your denunciation of the abuses of tobacco and wine. Yet, however sound in its principles, I expect it will be but a sermon to the wind. You will find it as difficult to inculcate these sanative precepts on the sensualities of the present day, as to convince an Athanasian that there is but one God. I wish success to both attempts, and am happy to learn from you that the latter, at least, is making progress, and the more rapidly in proportion as our Platonizing Christians make more stir and noise about it. The doctrines of Jesus are simple, and tend all to the happiness of man.

1. That there is one only God, and he all perfect.

2. That there is a future state of rewards and punishments.

3. That to love God with all thy heart and thy neighbor as thyself, is the sum of religion. These are the great points on which he endeavored to reform the religion of the Jews. But compare with these the demoralizing dogmas of Calvin.

1. That there are three Gods.

2. That good works, or the love of our neighbor, are nothing.

3. That faith is every thing, and the more incomprehensible the proposition, the more merit in its faith.

4. That reason in religion is of unlawful use.

5. That God, from the beginning, elected certain individuals to be saved, and certain others to be damned; and that no crimes of the former can damn them; no virtues of the latter save.

Now, which of these is the true and charitable Christian? He who believes and acts on the simple doctrines of Jesus? Or the impious dogmatists, as Athanasius and Calvin? Verily I say these are the false shepherds foretold as to enter not by the door into the sheepfold, but to climb up some other way. They are mere usurpers of the Christian name, teaching a counter-religion made up of the *deliria* of crazy imaginations, as foreign from Christianity as is that of Mahomet. Their blasphemies have driven thinking men into infidelity, who have too hastily rejected the supposed author himself, with the horrors so falsely imputed to

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him. Had the doctrines of Jesus been preached always as pure as they came from his lips, the whole civilized world would now have been Christian. I rejoice that in this blessed country of free inquiry and belief, which has surrendered its creed and conscience to neither kings nor priests, the genuine doctrine of one only God is reviving, and I trust that there is not a *young man* now living in the United States who will not die an Unitarian.

But much I fear, that when this great truth shall be re-established, its votaries will fall into the fatal error of fabricating formulas of creed and confessions of faith, the engines which so soon destroyed the religion of Jesus, and made of Christendom a mere Aceldama; that they will give up morals for mysteries, and Jesus for Plato. How much wiser are the Quakers, who, agreeing in the fundamental doctrines of the gospel, schismatize about no mysteries, and, keeping within the pale of common sense, suffer no speculative differences of opinion, any more than of feature, to impair the love of their brethren. Be this the wisdom of Unitarians, this the holy mantle which shall cover within its charitable circumference all who believe in one God, and who love their neighbor! I conclude my sermon with sincere assurances of my friendly esteem and respect.[1]

[1] A second letter to Doctor Waterhouse read:

MONTICELLO, July 19, 1822.

DEAR SIR,—An anciently dislocated, and now stiffening wrist, makes writing an operation so slow and painful to me, that I should not so soon have troubled you with an acknowledgment of your favor of the 8th, but for the request it contained of my consent to the publication of my letter of June the 26th. No, my dear Sir, not for the world. Into what a nest of hornets would it thrust my head! the *genus irritabile vatum*, on whom argument is lost, and reason is, by themselves, disclaimed in matters of religion. Don Quixote undertook to redress the bodily wrongs of the world, but the redressment of mental vagaries would be an enterprise more than Quixotic. I should as soon undertake to bring the crazy skulls of Bedlam to sound understanding, as inculcate reason into that of an Athanasian. I am old, and tranquility is now my *summum bonum*. Keep me, therefore, from the fire and faggots of Calvin and his victim Servetus. Happy in the prospect of a restoration of primitive Christianity, I must leave to younger athletes to encounter and lop off the false branches which have been engrafted into it by the mythologists of the middle and modern ages. I am not aware of the peculiar resistance to Unitarianism, which you ascribe to Pennsylvania. When I lived in Philadelphia, there was a respectable congre-

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TO LEROY AND BAYARD. J. MSS.

MONTICELLO, July 5. 22.

MESSRS. LEROY AND BAYARD,—Your favor of June 26. is just now received. After the delays of my last bond with which I have been indulged I consider it my bounden duty to obey the call for the principal whenever required. This delay was at first made convenient by the great revolution which took place in our circulating medium some time past; and the continuance of low markets since that period has not yet relieved the scarcity of medium so far as that fixed property can command even the half of what is it's value in regular times. My own annual income arises from the culture of tobacco and wheat. These articles, from the interior country cannot be got to market till the spring of the year ensuing their growth, and at that season alone the cultivator can pay from his produce. Still if the earlier term of 6. months be necessary for the affairs of the heirs of Mr. Van Staphorst, it shall be complied with by a sale of fixed property, altho' it will double the debt. If on the other hand, consistently with their con-

gation of that sect, with a meeting-house and regular service which I attended, and in which Dr. Priestley officiated to numerous audiences. Baltimore has one or two churches, and their pastor, author of an inestimable book on this subject, was elected chaplain to the late Congress. That doctrine has not yet been preached to us: but the breeze begins to be felt which precedes the storm; and fanaticism is all in a bustle, shutting its doors and windows to keep it out. But it will come, and drive before it the foggy mists of Platonism which have so long obscured our atmosphere. I am in hopes that some of the disciples of your institution will become missionaries to us, of these doctrines truly evangelical, and open our eyes to what has been so long hidden from them. A bold and eloquent preacher would be nowhere listened to with more freedom than in this State, nor with more firmness of mind. They might need a preparatory discourse on the text of "prove all things, hold fast that which is good," in order to unlearn the lesson that reason is an unlawful guide in religion. They might startle on being first awaked from the dreams of the night, but they would rub their eyes at once, and look the spectres boldly in the face. The preacher might be excluded by our hierophants from their churches and meeting-houses, but would be attended in the fields by whole acres of hearers and thinkers. Missionaries from Cambridge would soon be greeted with more welcome, than from the tritheistical school of Andover. Such are my wishes, such would be my welcomes, warm and cordial as the assurances of my esteem and respect for you.

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venience, the indulgence can be continued until the ensuing spring, (say till May) it can then be paid without loss, and shall certainly be paid. This however is left to your kind consideration, and your final determination shall be my law, at any loss whatever. With the just acknolegement of the past indulgencies, accept the assurance of my great esteem and respect.[1]

TO WILLIAM JOHNSON. J. MSS.

MONTICELLO, Oct: 27. 22.

DEAR SIR,—I have deferred my thanks for the copy of your Life of Genl. Greene, until I could have time to read it. This I have done, and with the greatest satisfaction; and can now more understandingly express the gratification it has afforded me. I really rejoice that we have at length a fair history of the Southern war. It proves how much we were left to defend ourselves as we could, while the resources of the Union were so disproportionately devoted to the North. I am glad too to see the Romance of Lee removed from the shelf of History to that of Fable. Some small portion of the transactions he relates were within my own knolege; and of these I can say he has given more falsehood than fact; and I have heard many officers declare the same as to what had passed under their eyes. Yet this book had begun to be quoted as history. Greene was truly a great man, he had not perhaps all the qualities which so peculiarly rendered Genl. Washington the fittest man on earth for directing so great a contest under so great difficulties. Difficulties proceeding not from lukewarmness

[1] A year later Jefferson wrote:

MONTICELLO, July 8, 23.

MESSRS. LEROY AND BAYARD,—You have reason to believe I am unmindful that I ought ere this to have remitted you the amount of my last bond; but it is duly in mind altho' delayed. My resources for payment as stated to you on former occasions, are the produce of my farms. They have usually got to Richmond in June: but are tardier this year than ever. Calculating the passage of my tobacco down the river and time for inspection and sale, I shall be able to remit you one half the amount by the end of this month, and the other half soon after. I have thought it a duty to remove suspense on the subject. Always acknoleging the kindness of your indulgence I salute you ever with friendship and respect.

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in our citizens or their functionaries, as our military leaders supposed; but from the pennyless condition of a people, totally shut out from all commerce & intercourse with the world, and therefore without any means for converting their labor into money. But Greene was second to no one in enterprise, in resource, in sound judgment, promptitude of decision, and every other military talent. In addition to the work you have given us, I look forward with anxiety to that you promise in the last paragraph of your book. Lee's military fable you have put down. Let not the invidious libel on the views of the Republican party, and on their regeneration of the government go down to posterity as hypocritically masked. I was myself too laboriously employed, while in office, and too old when I left it, to do justice to those who had labored so faithfully to arrest our course towards monarchy, and to secure the result of our revolutionary sufferings and sacrifices in a government bottomed on the only safe basis, the elective will of the people. You are young enough for the task, and I hope you will undertake it.

There is a subject respecting the practice of the court of which you are a member, which has long weighed on my mind, on which I have long thought I would write to you, and which I will take this opportunity of doing. It is in truth a delicate undertaking, & yet such is my opinion of your candor and devotedness to the Constitution, in it's true spirit, that I am sure I shall meet your approbation in unbosoming myself to you. The subject of my uneasiness is the habitual mode of making up and delivering the opinions of the supreme court of the US.

You know that from the earliest ages of the English law, from the date of the year-books, at least, to the end of the IId George, the judges of England, in all but self-evident cases, delivered their opinions seriatim, with the reasons and authorities which governed their decisions. If they sometimes consulted together, and gave a general opinion, it was so rarely as not to excite either alarm or notice. Besides the light which their separate arguments threw on the subject, and the instruction communicated by their several modes of reasoning, it shewed whether the judges were unanimous or divided, and gave accordingly more or less weight to the judgment as a precedent. It sometimes

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happened too that when there were three opinions against one, the reasoning of the one was so much the most cogent as to become afterwards the law of the land. When Ld. Mansfield came to the bench he introduced the habit of caucusing opinions. The judges met at their chambers, or elsewhere, secluded from the presence of the public, and made up what was to be delivered as the opinion of the court. On the retirement of Mansfield, Ld. Kenyon put an end to the practice, and the judges returned to that of seriatim opinions, and practice it habitually to this day, I believe. I am not acquainted with the late reporters, do not possess them, and state the fact from the information of others. To come now to ourselves I know nothing of what is done in other states, but in this our great and good Mr. Pendleton was, after the revolution, placed at the head of the court of Appeals. He adored Ld. Mansfield, & considered him as the greatest luminary of law that any age had ever produced, and he introduced into the court over which he presided, Mansfield's practice of making up opinions in secret & delivering them as the Oracles of the court, in mass. Judge Roane, when he came to that bench, broke up the practice, refused to hatch judgments, in Conclave, or to let others deliver opinions for him. At what time the seriatim opinions ceased in the supreme Court of the US., I am not informed. They continued I know to the end of the 3d Dallas in 1800. Later than which I have no Reporter of that court. About that time the present C. J. came to the bench. Whether he carried the practice of Mr. Pendleton to it, or who, or when I do not know; but I understand from others it is now the habit of the court, & I suppose it true from the cases sometimes reported in the newspapers, and others which I casually see, wherein I observe that the opinions were uniformly prepared in private. Some of these cases too have been of such importance, of such difficulty, and the decisions so grating to a portion of the public as to have merited the fullest explanation from every judge seriatim, of the reasons which had produced such convictions on his mind. It was interesting to the public to know whether these decisions were really unanimous, or might not perhaps be of 4. against 3. and consequently prevailing by the preponderance of one voice only. The Judges holding their

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offices for life are under two responsibilities only. 1. Impeachment. 2. Individual reputation. But this practice compleatly withdraws them from both. For nobody knows what opinion any individual member gave in any case, nor even that he who delivers the opinion, concurred in it himself. Be the opinion therefore ever so impeachable, having been done in the dark it can be proved on no one. As to the 2d guarantee, personal reputation, it is shielded compleatly. The practice is certainly convenient for the lazy, the modest & the incompetent. It saves them the trouble of developing their opinion methodically and even of making up an opinion at all. That of seriatim argument shews whether every judge has taken the trouble of understanding the case, of investigating it minutely, and of forming an opinion for himself, instead of pinning it on another's sleeve. It would certainly be right to abandon this practice in order to give to our citizens one and all, that confidence in their judges which must be so desirable to the judges themselves, and so important to the cement of the union. During the administration of Genl. Washington, and while E. Randolph was Attorney General, he was required by Congress to digest the judiciary laws into a single one, with such amendments as might be thought proper. He prepared a section requiring the Judges to give their opinions seriatim, in writing, to be recorded in a distinct volume. Other business prevented this bill from being taken up, and it passed off, but such a volume would have been the best possible book of reports, and the better, as unincumbered with the hired sophisms and perversions of Counsel.

What do you think of the state of parties at this time? An opinion prevails that there is no longer any distinction, that the republicans & Federalists are compleatly amalgamated but it is not so. The amalgamation is of name only, not of principle. All indeed call themselves by the name of Republicans, because that of Federalists was extinguished in the battle of New Orleans. But the truth is that finding that monarchy is a desperate wish in this country, they rally to the point which they think next best, a consolidated government. Their aim is now therefore to break down the rights reserved by the constitution to the states as a bulwark against that consolidation, the fear of which produced

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the whole of the opposition to the constitution at it's birth. Hence new Republicans in Congress, preaching the doctrines of the old Federalists, and the new nick-names of Ultras and Radicals. But I trust they will fail under the new, as the old name, and that the friends of the real constitution and union will prevail against consolidation, as they have done against monarchism. I scarcely know myself which is most to be deprecated, a consolidation, or dissolution of the states. The horrors of both are beyond the reach of human foresight.

I have written you a long letter, and committed to you thoughts which I would do to few others. If I am right, you will approve them; if wrong, commiserate them as the dreams of a Superannuate about things from which he is to derive neither good nor harm. But you will still receive them as a proof of my confidence in the rectitude of your mind and principles, of which I pray you to receive entire assurance with that of my continued and great friendship and respect.[1]

[1] Jefferson further wrote to Johnson on this subject:

MONTICELLO, June 12, 1823.

DEAR SIR,—Our correspondence is of that accommodating character, which admits of suspension at the convenience of either party, without inconvenience to the other. Hence this tardy acknowledgment of your favor of April the 11th. I learn from that with great pleasure, that you have resolved on continuing your history of parties. Our opponents are far ahead of us in preparations for placing their cause favorably before posterity. Yet I hope even from some of them the escape of precious truths, in angry explosions or effusions of vanity, which will betray the genuine monarchism of their principles. They do not themselves believe what they endeavor to inculcate, that we were an opposition party, not on principle, but merely seeking for office. The fact is, that at the formation of our government, many had formed their political opinions on European writings and practices, believing the experience of old countries, and especially of England, abusive as it was, to be a safer guide than mere theory. The doctrines of Europe were, that men in numerous associations cannot be restrained within the limits of order and justice, but by forces physical and moral, wielded over them by authorities independent of their will. Hence their organization of kings, hereditary nobles, and priests. Still further to constrain the brute force of the people, they deem it necessary to keep them down by hard labor, poverty and ignorance, and to take from them, as from bees, so much of their earnings, as that unremitting labor shall be necessary to obtain a sufficient surplus barely to sustain a scanty and miserable life. And these earnings they

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TO THE MARQUIS DE LA FAYETTE. J. MSS.

MONTICELLO, Oct. 28. 22.

I will not, my dear friend, undertake to quote by their dates the several letters you have written me. They have been proofs of your continued friendship to me, and my silence is no evidence of any abatement of mine to you. That can never be while I have

apply to maintain their privileged orders in splendor and idleness, to fascinate the eyes of the people, and excite in them an humble adoration and submission, as to an order of superior beings. Although few among us had gone all these lengths of opinion, yet many had advanced, some more, some less, on the way. And in the convention which formed our government, they endeavored to draw the cords of power as tight as they could obtain them, to lessen the dependence of the general functionaries on their constituents, to subject to them those of the States, and to weaken their means of maintaining the steady equilibrium which the majority of the convention had deemed salutary for both branches, general and local. To recover, therefore, in practice the powers which the nation had refused, and to warp to their own wishes those actually given, was the steady object of the federal party. Ours, on the contrary, was to maintain the will of the majority of the convention, and of the people themselves. We believed, with them, that man was a rational animal, endowed by nature with rights, and with an innate sense of justice; and that he could be restrained from wrong and protected in right, by moderate powers, confided to persons of his own choice, and held to their duties by dependence on his own will. We believed that the complicated organization of kings, nobles, and priests, was not the wisest nor best to effect the happiness of associated man; that wisdom and virtue were not hereditary; that the trappings of such a machinery, consumed by their expense, those earnings of industry, they were meant to protect, and, by the inequalities they produced, exposed liberty to sufferance. We believed that men, enjoying in ease and security the full fruits of their own industry, enlisted by all their interests on the side of law and order, habituated to think for themselves, and to follow their reason as their guide, would be more easily and safely governed, than with minds nourished in error, and vitiated and debased, as in Europe, by ignorance, indigence and oppression. The cherishment of the people then was our principle, the fear and distrust of them, that of the other party. Composed, as we were, of the landed and laboring interests of the country, we could not be less anxious for a government of law and order than were the inhabitants of the cities, the strongholds of federalism. And whether our efforts to save the principles and form of our constitution have not been salutary, let the present republican freedom, order and prosperity of our country

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breath and recollections so dear to me. Among the few survivors of our revolutionary struggles, you are as distinguished in my affections, as in the eyes of the world, & especially in those of this country. You are now, I believe, the Doyen of our military heroes,

determine. History may distort truth, and will distort it for a time, by the superior efforts at justification of those who are conscious of needing it most. Nor will the opening scenes of our present government be seen in their true aspect, until the letters of the day, now held in private hoards, shall be broken up and laid open to public view. What a treasure will be found in General Washington's cabinet, when it shall pass into the hands of as candid a friend to truth as he was himself! When no longer, like Cæsar's notes and memorandums in the hands of Anthony, it shall be open to the high priests of federalism only, and garbled to say so much, and no more, as suits their views!

With respect to his farewell address, to the authorship of which, it seems, there are conflicting claims, I can state to you some facts. He had determined to decline re-election at the end of his first term, and so far determined, that he had requested Mr. Madison to prepare for him something valedictory, to be addressed to his constituents on his retirement. This was done, but he was finally persuaded to acquiesce in a second election, to which no one more strenuously pressed him than myself, from a conviction of the importance of strengthening, by longer habit, the respect necessary for that office, which the weight of his character only could effect. When, at the end of his second term, his Valedictory came out, Mr. Madison recognized in it several passages of his draught, several others, we were both satisfied, were from the pen of Hamilton, and others from that of the President himself. These he probably put into the hands of Hamilton to form into a whole, and hence it may all appear in Hamilton's hand-writing, as if it were all of his composition.

I have stated above, that the original objects of the federalists were, 1st, to warp our government more to the form and principles of monarchy, and, 2d, to weaken the barriers of the State governments as coördinate powers. In the first they have been so completely foiled by the universal spirit of the nation, that they have abandoned the enterprise, shrunk from the odium of their old appellation, taken to themselves a participation of ours, and under the pseudo-republican mask, are now aiming at their second object, and strengthened by unsuspecting or apostate recruits from our ranks, are advancing fast towards an ascendancy. I have been blamed for saying, that a prevalence of the doctrines of consolidation would one day call for reformation or *revolution*. I answer by asking if a single State of the Union would have agreed to the constitution, had it given all powers to the General Government? If the whole opposition to it did not proceed from the jealousy and fear of every State, of being subjected to the other States in matters merely its own? And if there is any reason to

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& may I not say of the soldiers of liberty in the world? We differ in this. My race is run; while you have three good lustres yet to reach my time; & these may give you much to do. Weighed down

believe the States more disposed now than then, to acquiesce in this general surrender of all their rights and powers to a consolidated government, one and undivided?

You request me confidentially, to examine the question, whether the Supreme Court has advanced beyond its constitutional limits, and trespassed on those of the State authorities? I do not undertake it, my dear Sir, because I am unable. Age and the wane of mind consequent on it, have disqualified me from investigations so severe, and researches so laborious. And it is the less necessary in this case, as having been already done by others with a logic and learning to which I could add nothing. On the decision of the case of Cohens *vs.* The State of Virginia, in the Supreme Court of the United States, in March, 1821, Judge Roane, under the signature of Algernon Sidney, wrote for the Enquirer a series of papers on the law of that case. I considered these papers maturely as they came out, and confess that they appeared to me to pulverize every word which had been delivered by Judge Marshall, of the extra-judicial part of his opinion; and all was extra-judicial, except the decision that the act of Congress had not purported to give to the corporation of Washington the authority claimed by their lottery law, of controlling the laws of the States within the States themselves. But unable to claim that case, he could not let it go entirely, but went on gratuitously to prove, that notwithstanding the eleventh amendment of the constitution, a State *could* be brought as a defendant, to the bar of his court; and again, that Congress might authorize a corporation of its territory to exercise legislation within a State, and paramount to the laws of that State. I cite the sum and result only of his doctrines, according to the impression made on my mind at the time, and still remaining. If not strictly accurate in circumstance, it is so in substance. This doctrine was so completely refuted by Roane, that if he can be answered, I surrender human reason as a vain and useless faculty, given to bewilder, and not to guide us. And I mention this particular case as one only of several, because it gave occasion to that thorough examination of the constitutional limits between the General and State jurisdictions, which you have asked for. There were two other writers in the same paper, under the signatures of Fletcher of Saltoun, and Somers, who, in a few essays, presented some very luminous and striking views of the question. And there was a particular paper which recapitulated all the cases in which it was thought the federal court had usurped on the State jurisdictions. These essays will be found in the Enquirers of 1821, from May the 10th to July the 13th. It is not in my present power to send them to you, but if Ritchie can furnish them, I will procure and forward them. If they had

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with years, I am still more disabled from writing by a wrist & fingers almost without joints. This has obliged me to withdraw from all correspondence that is not indispensable. I have written, for a long time,

been read in the other States, as they were here, I think they would have left, there as here, no dissentients from their doctrine. The subject was taken up by our legislature of 1821–'22, and two draughts of remonstrances were prepared and discussed. As well as I remember, there was no difference of opinion as to the matter of right; but there was as to the expediency of a remonstrance at that time, the general mind of the States being then under extraordinary excitement by the Missouri question; and it was dropped on that consideration. But this case is not dead, it only sleepeth. The Indian Chief said he did not go to war for every petty injury by itself, but put it into his pouch, and when that was full, he then made war. Thank Heaven, we have provided a more peaceable and rational mode of redress.

This practice of Judge Marshall, of travelling out of his case to prescribe what the law would be in a moot case not before the court, is very irregular and very censurable. I recollect another instance, and the more particularly, perhaps, because it in some measure bore on myself. Among the midnight appointments of Mr. Adams, were commissions to some federal justices of the peace for Alexandria. These were signed and sealed by him, but not delivered. I found them on the table of the department of State, on my entrance into office, and I forbade their delivery. Marbury, named in one of them, applied to the Supreme Court for a mandamus to the Secretary of State, (Mr. Madison) to deliver the commission intended for him. The court determined at once, that being an original process, they had no cognizance of it; and therefore the question before them was ended. But the Chief Justice went on to lay down what the law would be, had they jurisdiction of the case, to wit: that they should command the delivery. The object was clearly to instruct any other court having the jurisdiction, what they should do if Marbury should apply to them. Besides the impropriety of this gratuitous interference, could anything exceed the perversion of law? For if there is any principle of law never yet contradicted, it is that delivery is one of the essentials to the validity of the deed. Although signed and sealed, yet as long as it remains in the hands of the party himself, it is in *fieri* only, it is not a deed, and can be made so only by its delivery. In the hands of a third person it may be made an escrow. But whatever is in the executive offices is certainly deemed to be in the hands of the President; and in this case, was actually in my hands, because, when I countermanded them, there was as yet no Secretary of State. Yet this case of Marbury and Madison is continually cited by bench and bar, as if it were settled law, without any animadversion on its being merely an *obiter* dissertation of the Chief Justice.

It may be impracticable to lay down any general formula of words which

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to none of my foreign friends, because I am really unable to do it. I owe them therefore apologies, or rather truths. Will you be my advocate with those

shall decide at once, and with precision, in every case, this limit of jurisdiction. But there are two canons which will guide us safely in most of the cases. 1st. The capital and leading object of the constitution was to leave with the States all authorities which respected their own citizens only, and to transfer to the United States those which respected citizens of foreign or other States: to make us several as to ourselves, but one as to all others. In the latter case, then, constructions should lean to the general jurisdiction, if the words will bear it; and in favor of the States in the former, if possible to be so construed. And indeed, between citizens and citizens of the same State, and under their own laws, I know but a single case in which a jurisdiction is given to the General Government. That is, where anything but gold or silver is made a lawful tender, or the obligation of contracts is any otherwise impaired. The separate legislatures had so often abused that power, that the citizens themselves chose to trust it to the general, rather than to their own special authorities. 2d. On every question of construction, carry ourselves back to the time when the constitution was adopted, recollect the spirit manifested in the debates, and instead of trying what meaning may be squeezed out of the text, or invented against it, conform to the probable one in which it was passed. Let us try Cohen's case by these canons only, referring always, however, for full argument, to the essays before cited.

1. It was between a citizen and his own State, and under a law of his State. It was a domestic case, therefore, and not a foreign one.

2. Can it be believed, that under the jealousies prevailing against the General Government, at the adoption of the constitution, the States meant to surrender the authority of preserving order, of enforcing moral duties and restraining vice, within their own territory? And this is the present case, that of Cohen being under the ancient and general law of gaming. Can any good be effected by taking from the States the moral rule of their citizens, and subordinating it to the general authority, or to one of their corporations, which may justify forcing the meaning of words, hunting after possible constructions, and hanging inference on inference, from heaven to earth, like Jacob's ladder? Such an intention was impossible, and such a licentiousness of construction and inference, if exercised by both governments, as may be done with equal right, would equally authorize both to claim all power, general and particular, and break up the foundations of the Union. Laws are made for men of ordinary understanding, and should, therefore, be construed by the ordinary rules of common sense. Their meaning is not to be sought for in metaphysical subtleties, which may make anything mean everything or nothing, at pleasure. It should be left to the sophisms of advocates, whose trade it is, to prove that a defendant is a

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who complain and especially with Mr. Tracy, who I hope is in the recovery of health, & enabled to continue his invaluable labors.

plaintiff, though dragged into court, *torto collo*, like Bonaparte's volunteers, into the field in chains, or that a power has been given, because it ought to have been given, *et alia talia*. The States supposed that by their tenth amendment, they had secured themselves against constructive powers. They were not lessoned yet by Cohen's case, nor aware of the slipperiness of the eels of the law. I ask for no straining of words against the General Government, nor yet against the States. I believe the States can best govern our home concerns, and the General Government our foreign ones. I wish, therefore, to see maintained that wholesome distribution of powers established by the constitution for the limitation of both; and never to see all offices transferred to Washington, where, further withdrawn from the eyes of the people, they may more secretly be bought and sold as at market.

But the Chief Justice says, "there must be an ultimate arbiter somewhere." True, there must; but does that prove it is either party? The ultimate arbiter is the people of the Union, assembled by their deputies in convention, at the call of Congress, or of two-thirds of the States. Let them decide to which they mean to give an authority claimed by two of their organs. And it has been the peculiar wisdom and felicity of our constitution, to have provided this peaceable appeal, where that of other nations is at once to force.

I rejoice in the example you set of *seriatim* opinions. I have heard it often noticed, and always with high approbation. Some of your brethren will be encouraged to follow it occasionally, and in time, it may be felt by all as a duty, and the sound practice of the primitive court be again restored. Why should not every judge be asked his opinion, and give it from the bench, if only by yea or nay? Besides ascertaining the fact of his opinion, which the public have a right to know, in order to judge whether it is impeachable or not, it would show whether the opinions were unanimous or not, and thus settle more exactly the weight of their authority.

The close of my second sheet warns me that it is time now to relieve you from this letter of unmerciful length. Indeed, I wonder how I have accomplished it, with two crippled wrists, the one scarcely able to move my pen, the other to hold my paper. But I am hurried sometimes beyond the sense of pain, when unbosoming myself to friends who harmonize with me in principle. You and I may differ occasionally in details of minor consequence, as no two minds, more than two faces, are the same in every feature. But our general objects are the same, to preserve the republican form and principles of our constitution and cleave to the salutary distribution of powers which that has established. These are the two sheet anchors of our Union. If driven from either, we shall be in danger of foundering. To my prayers for its safety and perpetuity, I add those for the continuation of your health, happiness, and usefulness to your country.

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On the affairs of your hemisphere I have two reasons for saying little. The one that I know little of them. The other that, having thought alike thro' our lives, my sentiments, if intercepted, might be imputed to you, as reflections of your own. I will hazard therefore but the single expression of assurance that this general insurrection of the world against it's tyrants will ultimately prevail by pointing the object of government to the happiness of the people and not merely to that of their self-constituted governors. On our affairs little can be expected from an Octogenary, retired within the recesses of the mountains, going nowhere, seeing nobody but his own house, & reading a single newspaper only, & that chiefly for the sake of the advertisements. I dare say you see & read as many of them as I do. You will have seen how prematurely they have begun to agitate us with the next presidential election. Many candidates are named: but they will be reduced to two, Adams & Crawford. Party principles, as heretofore will have their weight, but the papers tell you there are no parties now, republicans and federalists forsooth are all amalgamated. This, my friend, is not so. The same parties exist now which existed before. But the name of Federalist was extinguished in the battle of New Orleans; and those who wore it now call themselves republicans. Like the fox pursued by the dogs, they take shelter in the midst of the sheep. They see that monarchism is a hopeless wish in this country, and are rallying anew to the next best point a consolidated government. They are there-

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fore endeavouring to break down the barriers of the state rights, provided by the constitution against a consolidation. Hence you will see in the debates of Congress these new republicans maintaining the most ultra doctrines of the old federalists. This new metamorphosis is the only clue which will enable you to understand these strange appearances. They will become more prominent in the ensuing discussions. One candidate is supposed to be a consolidationist, the other a republican of the old school, a friend to the constitutional organization of the government, and believing that the strength of the members can alone give real strength to the body. And this is the sentiment of the nation, and will probably prevail if the principle of the Missouri question should not mingle itself with those of the election. Should it do so, all will be uncertain. This uncertainty however gives me no uneasiness. Both are able men, both honest men, and whatever be the bias, the good sense of our people will direct the boat ultimately to it's proper point.

I learn with great pleasure that you enjoy good health. Mine is also good altho' I am very weak. I cannot walk further than my garden without fatigue. But I am still able to ride on horseback, and it is my only exercise. That your life may be continued in health and happiness to the term of your own wishes is the fervent prayer of your constant and affectionate friend.

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TO ALBERT GALLATIN. J. MSS.

MONTICELLO, October 29, 1822.

DEAR SIR,—After a long silence, I salute you with affection. The weight of eighty years pressing heavily upon me, with a wrist and fingers almost without joints, I write as little as possible, because I do it with pain and labor. I retain, however, still the same affection for my friends, and especially for my ancient colleagues, which I ever did, and the same wishes for their happiness. Your treaty has been received here with universal gladness. It was indeed a strange quarrel, like that of two pouting lovers, and a pimp filching both; it was nuts for England. When I liken them to lovers, I speak of the people, not of their governments. Of the cordial love of one of these the Holy Alliance may know more than I do. I will confine myself to our own affairs. You have seen in our papers how prematurely they are agitating the question of the next President. This proceeds from some uneasiness at the present state of things. There is considerable dissatisfaction with the increase of the public expenses, and especially with the necessity of borrowing money in time of peace. This was much arraigned at the last session of Congress, and will be more so at the next. The misfortune is that the persons most looked to as successors in the government are of the President's Cabinet; and their partisans in Congress are making a handle of these things to help, or hurt those for or against whom they are. The candidates, ins and outs, seem at present to be many; but they will be reduced to two, a Northern and Southern one, as usual; to judge of the event the state of parties must be understood. You are told, indeed, that there are no longer parties among us; that they are all now amalgamated; the lion and the lamb lie down together in peace. Do not believe a word of it. The same parties exist now as ever did. No longer, indeed, under the name of Republicans and Federalists. The latter name was extinguished in the battle of Orleans. Those who wore it, finding monarchism a desperate wish in this country, are rallying to what they deem the next best point, a consolidated government. Although this is not yet avowed (as that of monarchism, you know, never was), it exists decidedly, and is the true

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key to the debates in Congress, wherein you see many calling themselves Republicans and preaching the rankest doctrines of the old Federalists. One of the prominent candidates is presumed to be of this party; and the other a Republican of the old school and a friend of the barrier of States rights, as provided by the Constitution against the danger of consolidation, which danger was the principal ground of opposition to it at its birth. Pennsylvania and New York will decide this question. If the Missouri principle mixes itself in the question, it will go one way; if not it may go the other. Among the smaller motives, hereditary fears may alarm one side, and the long line of local nativities on the other. In this division of parties the judges are true to their ancient vocation of sappers and miners.

Our University of Virginia, my present hobby, has been at a stand for a twelve-month past for want of funds. Our last Legislature refused anything. The late elections give better hopes of the next. The institution is so far advanced that it will force itself through. So little is now wanting that the first liberal Legislature will give it its last lift. The buildings are in a style of purely classical architecture, and, although not yet finished, are become an object of visit to all strangers. Our intention is that its professors shall be of the first order in their respective lines which can be procured on either side of the Atlantic. Sameness of language will probably direct our applications chiefly to Edinburgh.

I place some letters under the protection of your cover. You will be so good as to judge whether that address to Lodi will go more safely through the public mail or by any of the diplomatic couriers, liable to the curiosity and carelessness of public officers. Accept the assurances of my constant and affectionate friendship and respect.

TO HENRY DEARBORN.[1]

(U. S. MINISTER TO PORTUGAL.)

MONTICELLO, Oct. 31. 22.

DEAR SIR,—Your letter of Aug. 31, dated so soon after your departure gave me hopes that the sufferings at sea of Mrs. Dearborn

[1] From a copy courteously furnished by Dr. J. S. H. Fogg of Boston.

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and yourself, if any, had been short. I hope you will both find Lisbon a pleasant residence. I have heard so much of it's climate that I suppose that alone will go far towards making it so; and should the want of the language of the country lessen the enjoyment of it's society, this will be considerably supplied by the numbers you will find there who speak your own language. Take into the account also that you will escape the two years agitation just commencing with us. Even before you had left us our newspapers had already begun to excite the question of the next president. They are advancing fast into it. Many candidates are named, but they will settle down, as is believed, to Adams and Crawford. If the Missouri principle should mingle itself with the party divisions the result will be very doubtful. For altho' it is pretended there are no longer any parties among us, that all are amalgamated, yet the fact is that the same parties exist now that ever existed, not indeed under the old names of Republicans and Federalists. The Hartford Convention and battle of New Orleans extinguished the latter name. All now call themselves republicans, as the fox when pursued by dogs takes shelter in the midst of the sheep. Finding monarchy desperate here, they rally to their next hope, a consolidated government, and altho' they do not avow it (as they never did monarchism) yet it is manifestly their next object.

Hence you see so many of these new republicans maintaining in Congress the rankest doctrines of the old federalists. The judges aid in their old way as sappers and miners. One of the candidates is supposed to be a Consolidationist, the other for maintaining the banner of state rights as provided by the constitution against the fear of Consolidation.

Our Virginia University is now my sole occupation. It is within sight of Monticello, and the buildings nearly finished, and we shall endeavor, by the best Professors either side of the Atlantic can furnish to make it worthy of the public notice. Strange as the idea may seem, I sincerely think that the prominent characters of the country where you are could not better prepare their sons for the duties they will have to perform in their new government than by sending them here where they might become familiarised with the habits and practice of self-govern-

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ment. This lesson is scarcely to be acquired but in this country, and yet without it, the political vessel is all sail and no ballast.

I have a friend, of Portugal, in whose welfare I feel great interest, but whether now there, or where, I know not. It is the Abbé Correa who past some years in the U. S. and was a part of the time the Minister of Portugal at Washington. He left it under an appointment to the cabinet-council of Rio Janeiro, taking his passage thither by the way of England. While at London or Paris he would have heard that the King and court had returned to Lisbon; and what he did next is unknown here. He writes to none of his friends, & yet there is no one on whose behalf his friends feel a more lively solicitude, or wish more to hear of or from. If at Lisbon, and it should ever fall in your way to render him a service or kindness, I should consider it as more than if done to myself. If things go unfavorably to him there, he would be received with joy into our University, and would certainly find it a comfortable and lucrative retirement. Should he be in Lisbon, be so good as to say so to him. Say to Mrs. Dearborn also, how much she possesses the affection and respect of the whole family at Monticello, and accept for yourself the assurance of my constant friendship & respect.

TO JOHN ADAMS. J. MSS.

MONTICELLO, November 1, 1822.

DEAR SIR,—I have racked my memory and ransacked my papers, to enable myself to answer the inquiries of your favor of October 15th; but to little purpose.[1] My papers furnish me nothing, my memory,

[1] Adams' letter to Jefferson was as follows:

October 15, 1822.

DEAR SIR,—I have long entertained scruples about writing this letter, upon a subject of some delicacy. But old age has overcome them at last.

You remember the four ships ordered by Congress to be built, and the four captains appointed by Washington, Talbot, and Truxton, and Barry, &c., to carry an ambassador to Algiers, and protect our commerce in the Mediterranean.

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generalities only. I know that while I was in Europe, and anxious about the fate of our seafaring men, for some of whom, then in captivity in Algiers, we were treating, and all were in like danger, I formed, undoubtingly, the opinion that our government, as soon as practicable, should provide a naval force sufficient to keep the Barbary States in order; and on this

I have always imputed this measure to you, for several reasons. First, because you frequently proposed it to me while we were at Paris, negotiating together for peace with the Barbary powers. Secondly, because I knew that Washington and Hamilton were not only indifferent about a navy, but averse to it. There was no Secretary of the Navy; only four Heads of department. You were Secretary of State; Hamilton, Secretary of the Treasury; Knox, Secretary of War; and I believe Bradford was Attorney General. I have always suspected that you and Knox were in favor of a navy. If Bradford was so, the majority was clear. But Washington, I am confident, was against it in his judgment. But his attachment to Knox, and his deference to your opinion, for I know he had a great regard for you, might induce him to decide in favor of you and Knox, even though Bradford united with Hamilton in opposition to you. That Hamilton was averse to the measure, I have personal evidence; for while it was pending, he came in a hurry and a fit of impatience, to make a visit to me. He said he was likely to be called upon for a large sum of money to build ships of war, to fight the Algerines, and he asked my opinion of the measure. I answered him that I was clearly in favor of it. For I had always been of opinion, from the commencement of the revolution, that a navy was the most powerful, the safest and the cheapest national defence for this country. My advice, therefore, was, that as much of the revenue as could possibly be spared, should be applied to the building and equipping of ships. The conversation was of some length but it was manifest in his looks and in his air, that he was disgusted at the measure, as well as at the opinion that I had expressed.

Mrs. Knox not long since wrote a letter to Dr. Waterhouse, requesting him to procure a commission for her son, in the navy; that navy, says her ladyship, of which his father was the parent. "For," says she, "I have frequently heard General Washington say to my husband, the navy was your child." I have always believed it to be Jefferson's child, though Knox may have assisted in ushering it into the world. Hamilton's hobby was the army. That Washington was averse to a navy, I had full proof from his own lips, in many different conversations, some of them of length, in which he always insisted that it was only building and arming ships for the English. "*Si quid novisti rectius istis candidus imperti; si non, his utere mecum.*"

If I am in error in any particular, pray correct your humble servant.

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subject we communicated together, as you observe. When I returned to the United States and took part in the administration under General Washington, I constantly maintained that opinion; and in December, 1790, took advantage of a reference to me from the first Congress which met after I was in office, to report in favor of a force sufficient for the protection of our Mediterranean commerce; and I laid before them an accurate statement of the whole Barbary force, public and private. I think General Washington approved of building vessels of war to that extent. General Knox, I know, did. But what was Colonel Hamilton's opinion, I do not in the least remember. Your recollections on that subject are certainly corroborated by his known anxieties for a close connection with Great Britain, to which he might apprehend danger from collisions between their vessels and ours. Randolph was then Attorney General; but his opinion on the question I also entirely forget. Some vessels of war were accordingly built and sent into the Mediterranean. The additions to these in your time, I need not note to you, who are well known to have ever been an advocate for the wooden walls of Themistocles. Some of those you added, were sold under an act of Congress passed while you were in office. I thought, afterwards, that the public safety might require some additional vessels of strength, to be prepared and in readiness for the first moment of a war, provided they could be preserved against the decay which is unavoidable if kept in the water, and clear of the expense of officers and men. With this

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view I proposed that they should be built in dry docks, above the level of the tide waters, and covered with roofs. I further advised, that places for these docks should be selected where there was a command of water on a high level, as that of the Tyber at Washington, by which the vessels might be floated out, on the principle of a lock. But the majority of the legislature was against any addition to the navy, and the minority, although for it in judgment, voted against it on a principle of opposition. We are now, I understand, building vessels to remain on the stocks, under shelter, until wanted, when they would be launched and finished. On my plan they could be in service at an hour's notice. On this, the finishing, after launching, will be a work of time.

This is all I recollect about the origin and progress of our navy. That of the late war, certainly raised our rank and character among nations. Yet a navy is a very expensive engine. It is admitted, that in ten or twelve years a vessel goes to entire decay; or, if kept in repair, costs as much as would build a new one; and that a nation who could count on twelve or fifteen years of peace, would gain by burning its navy and building a new one in time. Its extent, therefore, must be governed by circumstances. Since my proposition for a force adequate to the piracies of the Mediterranean, a similar necessity has arisen in our own seas for considerable addition to that force. Indeed, I wish we could have a convention with the naval powers of Europe, for them to keep down the pirates of the Mediterranean, and the slave ships on

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the coast of Africa, and for us to perform the same duties for the society of nations in our seas. In this way, those collisions would be avoided between the vessels of war of different nations, which beget wars and constitute the weightiest objection to navies. I salute you with constant affection and respect.

TO DOCTOR THOMAS COOPER. J. MSS.

MONTICELLO, November 2, 1822.

DEAR SIR,—Your favor of October the 18th came to hand yesterday. The atmosphere of our country is unquestionably charged with a threatening cloud of fanaticism, lighter in some parts, denser in others, but too heavy in all. I had no idea, however, that in Pennsylvania, the cradle of toleration and freedom of religion, it could have arisen to the height you describe. This must be owing to the growth of Presbyterianism. The blasphemy and absurdity of the five points of Calvin, and the impossibility of defending them, render their advocates impatient of reasoning, irritable, and prone to denunciation. In Boston, however, and its neighborhood, Unitarianism has advanced to so great strength, as now to humble this haughtiest of all religious sects; insomuch that they condescend to interchange with them and the other sects, the civilities of preaching freely and frequently in each others' meeting-houses. In Rhode Island, on the other hand, no sectarian preacher will permit an Unitarian to pollute his desk. In our Richmond there is much fanaticism, but chiefly among the women. They have their night meetings and praying parties, where, attended by their priests, and sometimes by a hen-pecked husband, they pour forth the effusions of their love to Jesus, in terms as amatory and carnal, as their modesty would permit them to use to a mere earthly lover. In our village of Charlottesville, there is a good degree of religion, with a small spice only of fanaticism. We have four sects, but without either church or meeting-house. The court-house is the common temple, one Sunday in the month to each. Here, Episcopalian and Presbyterian,

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Methodist and Baptist, meet together, join in hymning their Maker, listen with attention and devotion to each others' preachers, and all mix in society with perfect harmony. It is not so in the districts where Presbyterianism prevails undividedly. Their ambition and tyranny would tolerate no rival if they had power. Systematical in grasping at an ascendency over all other sects, they aim, like the Jesuits, at engrossing the education of the country, are hostile to every institution which they do not direct, and jealous at seeing others begin to attend at all to that object. The diffusion of instruction, to which there is now so growing an attention, will be the remote remedy to this fever of fanaticism; while the more proximate one will be the progress of Unitarianism. That this will, ere long, be the religion of the majority from north to south, I have no doubt.

In our university you know there is no Professorship of Divinity. A handle has been made of this, to disseminate an idea that this is an institution, not merely of no religion, but against all religion. Occasion was taken at the last meeting of the Visitors, to bring forward an idea that might silence this calumny, which weighed on the minds of some honest friends to the institution. In our annual report to the legislature, after stating the constitutional reasons against a public establishment of any religious instruction, we suggest the expediency of encouraging the different religious sects to establish, each for itself, a professorship of their own tenets, on the confines of the university, so near as that their students may attend the lectures there, and have the free use of our library, and every other accommodation we can give them; preserving, however, their independence of us and of each other. This fills the chasm objected to ours, as a defect in an institution professing to give instruction in *all* useful sciences. I think the invitation will be accepted, by some sects from candid intentions, and by others from jealousy and rivalship. And by bringing the sects together, and mixing them with the mass of other students, we shall soften their asperities, liberalize and neutralize their prejudices, and make the general religion a religion of peace, reason, and morality.

The time of opening our university is still as uncertain as ever. All the pavilions, boarding houses, and dormitories are done.

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Nothing is now wanting but the central building for a library and other general purposes. For this we have no funds, and the last legislature refused all aid. We have better hopes of the next. But all is uncertain. I have heard with regret of disturbances on the part of the students in your seminary. The article of discipline is the most difficult in American education. Premature ideas of independence, too little repressed by parents, beget a spirit of insubordination, which is the great obstacle to science with us, and a principal cause of its decay since the revolution. I look to it with dismay in our institution, as a breaker ahead, which I am far from being confident we shall be able to weather. The advance of age, and tardy pace of the public patronage, may probably spare me the pain of witnessing consequences.

I salute you with constant friendship and respect.

TO JAMES MONROE.

J. MSS.

Dec. 1, 22.

I thank you Dr. Sir for the oppy. of reading Mr. Taylor's lr̃e. which I now return. News that *one can rely on* from a country with which we have so little intercourse & so much mutual interest is doubly grateful. I rejoice to learn that Iturbide's is a mere usurpñ. & slenderly supported. Although we have no right to intermeddle with the form of government of other nations yet it is lawful to wish to see no emperors nor king in our hemisphere, and that Brazil as well as Mexico will homologize with us. The accident to my arm was slight, its doing well & free from pain. I thank you sincerely for your favor to Gibson. He is a worthy but unfortunate man.

TO JAMES MADISON.

J. MSS.

MONTICELLO, Jan. 6. 23.

DEAR SIR,—I send you a mass of reading, and so rapidly does my hand fail me in writing that I can give but very briefly the necessary explanations.

1. Mr. Cabell's letter to me & mine to him which passed each other on the road will give you the state of things respecting the

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University, and I am happy to add that letters received from Appleton give us reason to expect our capitals by the first vessel from Leghorn, done of superior marble and in superior style.

2. Young E. Gerry informed me some time ago that he had engaged a person to write the life of his father, and asked for any materials I could furnish. I sent him some letters, but in searching for them, I found two, too precious to be trusted by mail, of the date of 1801. Jan. 15. & 20. in answer to one I had written him Jan. 26. 99. two years before. It furnishes authentic proof that in the X. Y. Z. mission to France, it was the wish of Pickering, Marshall, Pinckney and the Federalists of that stamp, to avoid a treaty with France and to bring on war, a fact we charged on them at the time and this letter proves, and that their X. Y. Z. report was cooked up to dispose the people to war. Gerry their colleague was not of their sentiment, and this is his statement of that transaction. During the 2. years between my letter & his answer, he was wavering between Mr. Adams & myself, between his attachment to Mr. Adams personally on the one hand, and to republicanism on the other; for he was republican, but timid & indecisive. The event of the election of 1800–1. put an end to his hesitations.

3. A letter of mine to judge Johnson & his answer. This conveys his views of things, and they are so serious and sound, that they are worth your reading. I am sure that in communicating it to you, I commit no breach of trust to him; for he and every one knows that I have no political secrets from you; & from the tenor of his letter with respect to yourself, it is evident he would as willingly have them known to you as myself.

You will observe that Mr. Cabell, if the loan bill should pass, proposes to come up with Mr. Loyall, probably Mr. Johnson, and Genl. Cocke to have a special meeting. This is necessary to engage our workmen before they undertake other work for the ensuing season. I shall desire him, as soon as the loan bill passes the lower house (as we know it will pass the Senate) to name a day by mail to yourself to meet us, as reasonable notice *to all the members* is necessary to make the meeting legal. I hope you will attend, as the important decision as to the Rotunda may depend on it.

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Our family is all well and joins in affections to Mrs. Madison and yourself. My arm goes on slowly, still in a sling and incapable of any use, and will so continue some time yet. Be so good as to return the inclosed when read and to be assured of my constant and affectionate friendship.

TO JAMES MONROE. J. MSS.

MONTO. Feb. 21. 23.

DEAR SIR,—The inclosed answers your favor of the 29th ult. on the value of your lands. I had had great hopes that while in your present office you would break up the degrading practice of considering the President's house as a general tavern and economise sffly to come out of it clear of difficulties. I learn the contrary with great regret. Your society during the little time I have left would have been the chief comfort of my life. Of the 3. portions into which you have laid off your lands here, I will not yet despair but that you may retain that on which your house stands. Perhaps you may be able to make an equivalent partial sale in Loudon before you can a compleat one here.

I had flattered myself that a particular and new resource would have saved me from my unfortunate engagements for W. C. N.[1] but they fail me, and I must sell property to their amount.

You have had some difficulties and contradiction to struggle with in the course of your admn but you will come out of them with honor and with the affections of your country. Mine to you have been & ever will be constant and warm.

TO JUDGE WILLIAM JOHNSON. J. MSS.

MONTICELLO, March 4, 1823.

DEAR SIR,—I delayed some time the acknowledgment of your welcome letter of December 10th, on the common lazy principle of never doing to-day what we can put off to to-morrow, until

[1] Nicholas.

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UNIVERSITY OF CALIFORNIA

it became doubtful whether a letter would find you at Charleston. Learning now that you are at Washington, I will reply to some particulars which seem to require it.

The North American Review is a work I do not take, and which is little known in this State, consequently I have never seen its observations on your inestimable history, but a reviewer can never let a work pass uncensured. He must always make himself wiser than his author. He would otherwise think it an abdication of his office of censor. On this occasion, he seems to have had more sensibility for Virginia than she has for herself; for, on reading the work, I saw nothing to touch our pride or jealousy, but every expression of respect and good will which truth could justify. The family of enemies, whose buzz you apprehend, are now nothing. You may learn this at Washington; and their military relation has long ago had the full-voiced condemnation of his own State. Do not fear, therefore, these insects. What you write will be far above their grovelling sphere. Let me, then, implore you, dear Sir, to finish your history of parties, leaving the time of publication to the state of things you may deem proper, but taking especial care that we do not lose it altogether. We have been too careless of our future reputation, while our tories will omit nothing to place us in the wrong. Besides the five-volumed libel which represents us as struggling for office, and not at all to prevent our government from being administered into a monarchy, the life of Hamilton is in the hands of a man who, to the bitterness of the priest, adds the rancor of the fiercest federalism. Mr. Adams' papers, too, and his biography, will descend of course to his son, whose pen, you know, is pointed, and his prejudices not in our favor. And doubtless other things are in preparation, unknown to us. On our part we are depending on truth to make itself known, while history is taking a contrary set which may become too inveterate for correction. Mr. Madison will probably leave something, but I believe, only particular passages of our history, and these chiefly confined to the period between the dissolution of the old and commencement of the new government, which is peculiarly within his knowledge. After he joined me in the administration, he had no leisure to write. This, too, was my case. But although I had not

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time to prepare anything express, my letters, (all preserved) will furnish the daily occurrences and views from my return from Europe in 1790, till I retired finally from office. These will command more conviction than anything I could have written after my retirement; no day having ever passed during that period without a letter to somebody. Written too in the moment, and in the warmth and freshness of fact and feeling, they will carry internal evidence that what they breathe is genuine. Selections from these, after my death, may come out successively as the maturity of circumstances may render their appearance seasonable. But multiplied testimony, multiplied views will be necessary to give solid establishment to truth. Much is known to one which is not known to another, and no one knows everything. It is the sum of individual knowledge which is to make up the whole truth, and to give its correct current through future time. Then do not, dear Sir, withhold your stock of information; and I would moreover recommend that you trust it not to a single copy, nor to a single depository. Leave it not in the power of any one person, under the distempered view of an unlucky moment, to deprive us of the weight of your testimony, and to purchase, by its destruction, the favor of any party or person, as happened with a paper of Dr. Franklin's.

I cannot lay down my pen without recurring to one of the subjects of my former letter, for in truth there is no danger I apprehend so much as the consolidation of our government by the noiseless, and therefore unalarming, instrumentality of the supreme court. This is the form in which federalism now arrays itself, and consolidation is the present principle of distinction between republicans and the pseudo-republicans but real federalists. I must comfort myself with the hope that the judges will see the importance and the duty of giving their country the only evidence they can give of fidelity to its constitution and integrity in the administration of its laws; that is to say, by every one's giving his opinion *seriatim* and publicly on the cases he decides. Let him prove by his reasoning that he has read the papers, that he has considered the case, that in the application of the law to it, he uses his own judgment independently and unbiased by party views and personal favor or disfavor. Throw himself in

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every case on God and his country; both will excuse him for error and value him for his honesty. The very idea of cooking up opinions in conclave, begets suspicions that something passes which fears the public ear, and this, spreading by degrees, must produce at some time abridgment of tenure, facility of removal, or some other modification which may promise a remedy. For in truth there is at this time more hostility to the federal judiciary, than to any other organ of the government.

I should greatly prefer, as you do, four judges to any greater number. Great lawyers are not over abundant, and the multiplication of judges only enables the weak to out-vote the wise, and three concurrent opinions out of four give a strong presumption of right.

I cannot better prove my entire confidence in your candor, than by the frankness with which I commit myself to you, and to this I add with truth, assurances of the sincerity of my great esteem and respect.

TO WILLIAM SHORT.[1] J. MSS.

MONTICELLO, March 28. 23.

DEAR SIR,—From your letter of prophecies I too have caught the spirit of prophecy: for who can withhold looking into futurity, on events which are to change the face of the world, and the condition of man throughout it, without indulging himself in the effusions of the holy spirit of Delphos? I may do it the more safely, as to my vaticinations I always subjoin the Proviso "that nothing unexpected happen to change the predicted course of events." If, then, France has invaded Spain, an insurrection immediately takes place in Paris, the Royal family is sent to the

[1] Jefferson also sent a copy of this letter to Monroe, with the following explanation:

MONTO. Mar. 29. 23.

DEAR SIR,—In answering a letter from Mr. Short I indulged myself in some off hand speculns on the present lowering state of Europe, random enough to be sure, yet on revising them I thot I would hazard a copy to you on the bare possibility that out of them, as we sometimes do from dreams, you might pick up some hint worth improving by your own reflection. At any rate the whole reverie will lose to you only the few minutes required for it's perusal, and therefore I hazard it with the assurance of my constant affectn & respect.

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Temple, thence perhaps to the Guillotine; to the 2. or 300,000 men able to bear arms in Paris will flock all the young men of the nation, born and bred in principles of freedom, and furnish a corps d'armee with Orleans, Beauharnais, or Fayette at their head; the army of the Pyrenees catch the same flame and return to Paris with their arms in their hands. The Austrian and Prussian armies march to the relief of Louis XVIII, a descendant as well as Ferdinand of Henry IV. As soon as their backs are turned, an universal insurrection takes place in Germany, Prussia, perhaps the Netherlands, thro' all Italy certainly, who besides a force sufficient to settle their own governments, can send aids to France. Alexander, in the meantime, having dexterously set all the South of Europe together by the ears, leaves them the bag to hold, and turns his whole force on Turkey, profiting of the opportunity at length obtained, which never occurred before, and never would again.

In the mean time Great Britain and the U S. prepare for milking the cow; and, as friends to all parties, furnish all with cabotage, commerce, manufactures and food. Great Britain particularly gets full employment for all her hands, machines and capital; she recovers from her distresses & rises again into prosperity and splendour. She goes hand in hand with us in reaping this harvest and on fair principles of Neutrality, which it will now be her interest to settle and observe: She joins us too in a guarantee of the independance of Cuba, with the consent of Spain, and removes thus this bone of contention from between us. We avail ourselves of this occasion of a cordial conciliation and friendship with Spain, by assuring her of every friendly office which even a partial neutrality will permit, and particularly that, during their struggle, they need fear nothing hostile from us in their colonies, and Spain and Portugal wisely relinquish the dependance of all their American colonies, on condition they make common cause with them in the present conflict. Is not this a handsome string of events, which are to give Representative Governments to all Europe, and all of which are surely to take place "if nothing unexpected happens to change their course"? It might be amusing half a dozen years hence, to review these predictions and see how they tally with history.

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I shall receive, with high pleasure, your visit in the Autumn. When the time approaches, we must secure a concert between that and mine to Bedford to which all times are indifferent. Our University is now compleat to a single building, which, having seen the Pantheon, your imagination will readily supply, so as to form a good idea of its ultimate appearance. You must bequeath it your library, as many others of us propose to do.

The bone of my arm is well knitted and strong, but the carpal bones, having been disturbed, maintain an œdematous swelling of the hand and fingers, keeping them entirely helpless and holding up no definite term for the recovery of their usefulness. I am now in the 5th months of this disability.

Nothing could have carried me through the labor of this long letter but the glow of the Pythian inspiration, and I must rest, after exhaustion, as that goddess usually did, adding only assurances of my constant and affectionate friendship and respect.

TO SAMUEL SMITH. J. MSS.

MONTICELLO, May 3, 1823.

DEAR GENERAL,—I duly received your favor of the 24th ult. But I am rendered a slow correspondent by the loss of the use, totally of the one, and almost totally of the other wrist, which renders writing scarcely and painfully practicable. I learn with great satisfaction that wholesome economies have been found, sufficient to relieve us from the ruinous necessity of adding annually to our debt by new loans. The deviser of so salutary a relief deserves truly well of his country. I shall be glad, too, if an additional tax of one-fourth of a dollar a gallon on whiskey shall enable us to meet all our engagements with punctuality. Viewing that tax as an article in a system of excise, I was once glad to see it fall with the rest of the system, which I considered as prematurely and unnecessarily introduced. It was evident that our existing taxes were *then* equal to our existing debts. It was clearly foreseen also that the surplus from excise would only become aliment for useless offices, and would be swallowed in idleness by those whom it would withdraw from useful industry. Considering it only as a fiscal measure, this was right. But the

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prostration of body and mind which the cheapness of this liquor is spreading through the mass of our citizens, now calls the attention of the legislator on a very different principle. One of his important duties is as guardian of those who from causes insusceptible of precise definition, cannot take care of themselves. Such are infants, maniacs, gamblers, drunkards. The last, as much as the maniac, requires restrictive measures to save him from the fatal infatuation under which he is destroying his health, his morals, his family, and his usefulness to society. One powerful obstacle to his ruinous self-indulgence would be a price beyond his competence. As a sanatory measure, therefore, it becomes one of duty in the public guardians. Yet I do not think it follows necessarily that imported spirits should be subjected to similar enhancement, until they become as cheap as those made at home. A tax on whiskey is to discourage its consumption ; a tax on foreign spirits encourages whiskey by removing its rival from competition. The price and present duty throw foreign spirits already out of competition with whiskey, and accordingly they are used but to a salutary extent. You see no persons besotting themselves with imported spirits, wines, liquors, cordials, &c. Whiskey claims to itself alone the exclusive office of sot-making. Foreign spirits, wines, teas, coffee, segars, salt, are articles of as innocent consumption as broadcloths and silks and ought, like them, to pay but the average *ad valorem* duty of other imported comforts. All of them are ingredients in our happiness, and the government which steps out of the ranks of the ordinary articles of consumption to select and lay under disproportionate burthens a particular one, because it is a comfort, pleasing to the taste, or necessary to health, and will therefore be bought, is, in that particular, a tyranny. Taxes on consumption like those on capital or income, to be just, must be uniform. I do not mean to say that it may not be for the general interest to foster for awhile certain infant manufactures, until they are strong enough to stand against foreign rivals ; but when evident that they will never be so, it is against right, to make the other branches of industry support them. When it was found that France could not make sugar under 6 h. a lb., was it not tyranny to restrain her citizens from importing at 1 h.? or would it not have been so to have laid a duty of 5 h.

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on the imported? The permitting an exchange of industries with other nations is a direct encouragement of your own, which without that, would bring you nothing for your comfort, and would of course cease to be produced.

On the question of the next Presidential election, I am a mere looker on. I never permit myself to express an opinion, or to feel a wish on the subject. I indulge a single hope only, that the choice may fall on one who will be a friend of peace, of economy, of the republican principles of our constitution, and of the salutary distribution of powers made by that between the general and the local governments, to this, I ever add sincere prayers for your happiness and prosperity.

TO THOMAS LEIPER. J. MSS.

May 31, 23.

DEAR SIR,—On my late return from Bedford I found here your three favors of May 9. 13. & —. The millet you have been so kind as to send me is not yet arrived. Accept my thanks for it as well as for the details as to it's culture & produce. I shall turn it over to my grandson T. J. Randolph, to whom I have committed the management of the whole of my agricultural concerns, in which I was never skilful and am now entirely unequal from age and debility. He had recd. some seed of the same kind from another quarter and had sowed an acre & a half by way of experiment. To this he will add what you are so kind as to send if it comes in time. We had heard much of it's great produce & particularly in Kentucky. We have also obtained a little of the genuine Guinee grass, a plant of great & nutritious produce. This too is under trial. Withdrawn entirely from agriculture I am equally so from the business of the world & especially from political concerns which I trust entirely to the genern of the day, without enquiry, or reading but a single newspaper. I shall therefore accdg to your permission consign the several valuable pamphlets you have sent me to some of our members of Congress or others in power, who may use them to advantage. I am sure however I should read your vinegar & pepper letters with

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pleasure should you send them on; for whenever I have been confounded in the labyrinth of politics of Pennsylve especially I have ever applied to you for their clue & have found myself kept right by your informn. I am all alive however to the war of Spain & it's atrocious invasion by France. I trust it will end in an Universal insurrection of continental Europe & in the establmt of representative government in every country of it. We surely see the finger of providence in the insanity of France which brings on this great consummation.

I learn from you with great satisfn the details concerning your family, and their happy & prosperous progress in life. Your own losses by endorsements are heavy indeed. I do not know whether you may recollect how loudly my voice was raised agt. the establmt of banks in the begng. But like that of Cassandra it was not listened to. I was set down as a madman by those who have since been victims to them. I little thought then how much I was to suffer by them myself, for I too am taken in by endorsements for a friend to the amount of 20,000 D. for the payment of which I shall have to make sale of that much of my property the ensuing winter. And yet the general revoln of fortunes which these instrmns have produced seem not at all to have cured our country of this mania.

Your last letter first enables me to return you the thanks so long due & unrendered for the two prints of Bonaparte, being the first informn I have recd that they came from you. They came to me without the least indicn from what quarter. I went to the village of Milton, & enquired of the boatmen, who could tell me nothing more than that they were delivered to them for me by a person whom they did not know, and the present was so magnificent that I really suspected it came from Joseph Bonaparte or some of the refugee French Generals who were then with us. Dr. Watson first suggested that he believed they had come from you and that you had never learnt their safe arrival. I prayed him on his return to Phila to ascertain the fact, and your letter now, for the first time gives me the informn desired. I pray you to be assured that nothing but this ignorance could so long have withheld my just acknolegmts for this mark of your frdshp so splendid & so acceptable. You suppose that

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in some letter of mine an idea is conveyed of dissatsn on my part for something mentd. by you on the subject of my religion. Certainly no letter of mine to you can ever have expressed such an idea. I never heard of any animadversion of yours on my religion & I believe that is one of the subjects on which our conversn never turned, and that neither of us ever knew what was the religion of the other. On this point I suppose we are both equally tolerant & charitable.

I am far from being in the condn of easy-writing which your letter supposes, with 2 crippled wrists, the one scarcely able to move my pen, the other to hold my paper. This double misfortune, the one of antr date now aggravated by age, the other recent, renders writing so slow & painful that nothing can induce me to approach the writing table but business indispensable or the irresistible impulse to assure my friends, as I now do you, of my constant & affecte frdshp & respect.

TO WILLIAM BRANCH GILES. J. MSS.

MONTICELLO, June 9. 23.

DEAR SIR,—I received yesterday your favor of the 31st ult. and my Grandson Th: J. R. having set out to Richmond the day before I immediately inclosed the papers to him by mail and informed him that I should be ready if thot necessary, to bear testimony to the honble character of our decd. friend, as I knew him. I am sorry to learn that you are among the sufferers by his misfortunes. I am dreadfully so, to an amount which will weigh heavily on the remr of my life.

I was much gratified by the visit of your son and formed as favorable an opinion of him as it's shortness would permit. I hope we shall have our Univty. opened yet in time for him. This however must depend on the future acts of the legislature. They started the schemes of their Primary schools and university at the same time, and as if on the same footing, without considering that the former required no preliminary expence, the latter an immense one, and their supplies of the deficiency they have called hitherto by the name of *loans*, as if the monies of the liter-

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ary fund could be more legitimately *appropriated.* Their last vote will compleatly finish the buildings, and whenever they shall declare our annuity liberated from this incumbrance, we shall take measures to procure professors and to open the institution. I hope they will make this declaration at their next session. We can immediately accommodate 200 students, which number I am sure will be quickly furnished to overflowing. Every student addnal to that number, and I think they will be many, will require progressive accommdns to the amount of 300. D. for each until we attain our maximum, which the success of the establmt will I hope by that time encourage the legislature to furnish, in considn of the D. & cents they will add to our circuln as well as to the diffusion of science among our citizens.

I have been gratified lately by hearing that your health was improving. The bone of my arm which was fractured, is well knitted, but the small bones of the wrist being dislocated at the same time, could not be truly replaced, so that it's use will never be recovered in any great degree. My health is good, but so weakened by age that I can walk but little, but I ride daily & with little fatigue. I hope you will continue as long as you wish it to enjoy life and health, and pray you to be assured of my constant and sincere frdshp and respect.

TO JAMES MONROE. J. MSS.

MONTICELLO, June 11, 1823.

DEAR SIR,—Considering that I had not been to Bedford for a twelvemonth before, I thought myself singularly unfortunate in so timing my journey, as to have been absent exactly at the moment of your late visit to our neighborhood. The loss, indeed, was all my own; for in these short interviews with you, I generally get my political compass rectified, learn from you whereabouts we are, and correct my course again. In exchange for this, I can give you but newspaper ideas, and little indeed of these, for I read but a single paper, and that hastily. I find Horace and Tacitus so much better writers than the champions of the gazettes, that I lay those down to take up these with great reluctance.

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And on the question you propose, whether we can, in any form, take a bolder attitude than formerly in favor of liberty, I can give you but commonplace ideas. They will be but the widow's mite, and offered only because requested. The matter which now embroils Europe, the presumption of dictating to an independent nation the form of its government, is so arrogant, so atrocious, that indignation, as well as moral sentiment, enlists all our partialities and prayers in favor of one, and our equal execrations against the other. I do not know, indeed, whether all nations do not owe to one another a bold and open declaration of their sympathies with the one party and their detestation of the conduct of the other. But farther than this we are not bound to go; and indeed, for the sake of the world, we ought not to increase the jealousies, or draw on ourselves the power of this formidable confederacy. I have ever deemed it fundamental for the United States, never to take active part in the quarrels of Europe. Their political interests are entirely distinct from ours. Their mutual jealousies, their balance of power, their complicated alliances, their forms and principles of government, are all foreign to us. They are nations of eternal war. All their energies are expended in the destruction of the labor, property and lives of their people. On our part, never had a people so favorable a chance of trying the opposite system, of peace and fraternity with mankind, and the direction of all our means and faculties to the purposes of improvement instead of destruction. With Europe we have few occasions of collision, and these, with a little prudence and forbearance, may be generally accommodated. Of the brethren of our own hemisphere, none are yet, or for an age to come will be, in a shape, condition, or disposition to war against us. And the foothold which the nations of Europe had in either America, is slipping from under them, so that we shall soon be rid of their neighborhood. Cuba alone seems at present to hold up a speck of war to us. Its possession by Great Britain would indeed be a great calamity to us. Could we induce her to join us in guaranteeing its independence against all the world, *except* Spain, it would be nearly as valuable to us as if it were our own. But should she take it, I would not immediately go to war for it; because the first war on other accounts will give it to us; or the

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island will give itself to us, when able to do so. While no duty, therefore, calls on us to take part in the present war of Europe, and a golden harvest offers itself in reward for doing nothing, peace and neutrality seem to be our duty and interest. We may gratify ourselves, indeed, with a neutrality as partial to Spain as would be justifiable without giving cause of war to her adversary; we might and ought to avail ourselves of the happy occasion of procuring and cementing a cordial reconciliation with her, by giving assurance of every friendly office which neutrality admits, and especially, against all apprehension of our intermeddling in the quarrel with her colonies. And I expect daily and confidently to hear of a spark kindled in France, which will employ her at home, and relieve Spain from all further apprehensions of danger.

That England is playing false with Spain cannot be doubted. Her government is looking one way and rowing another. It is curious to look back a little on past events. During the ascendancy of Bonaparte, the word among the herd of kings, was "*sauve qui peut.*" Each shifted for himself, and left his brethren to squander and do the same as they could. After the battle of Waterloo, and the military possession of France, they rallied and combined in common cause, to maintain each other against any similar and future danger. And in this alliance, Louis, now avowedly, and George, secretly but solidly, were of the contracting parties; and there can be no doubt that the allies are bound by treaty to aid England with their armies, should insurrection take place among her people. The coquetry she is now playing off between her people and her allies is perfectly understood by the latter, and accordingly gives no apprehensions to France, to whom it is all explained. The diplomatic correspondence she is now displaying, these double papers fabricated merely for exhibition, in which she makes herself talk of morals and principle, as if her qualms of conscience would not permit her to go all lengths with her Holy Allies, are all to gull her own people. It is a theatrical farce, in which the five powers are the actors, England the Tartuffe, and her people the dupes. Playing thus so dextrously into each others' hands, and their own persons seeming secured, they are now looking to their privileged orders. These faithful

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auxiliaries, or accomplices, must be saved. This war is evidently that of the general body of the aristocracy, in which England is also acting her part. "Save but the Nobles and there shall be no war," says she, masking her measures at the same time under the form of friendship and mediation, and hypocritically, while a party, offering herself as a judge, to betray those whom she is not permitted openly to oppose. A fraudulent neutrality, if neutrality at all, is all Spain will get from her. And Spain, probably, perceives this, and willingly winks at it rather than have her weight thrown openly into the other scale.

But I am going beyond my text, and sinning against the adage of carrying coals to Newcastle. In hazarding to you my crude and uninformed notions of things beyond my cognizance, only be so good as to remember that it is at your request, and with as little confidence on my part as profit on yours. You will do what is right, leaving the people of Europe to act their follies and crimes among themselves, while we pursue in good faith the paths of peace and prosperity. To your judgment we are willingly resigned, with sincere assurances of affectionate esteem and respect.

TO JAMES MADISON. J.MSS.

MONTO. June 13. 23.

DEAR SIR,—I communicated to you a former part of a correspdce between Judge Johnson of Charleston and myself, chiefly on the practice of caucusing opns which is that of the Supreme court of the US. but on some other matters also, particularly his history of parties. In a late letter he asks me to give him my idea of the precise principles & views of the Republicans in their opposn to the Feds when that opposn was highest, also my opn of the line dividing the jurisdn of the general & state govmts, mentions a dispute between Genl. W.'s frds & Mr. Hamilton as to the authorship of their Valedictory, and expresses his concurrce with me on the subject of seriatim opns. This last being of primary importance I inclose you a copy of my answer to the judge, because if you think of it as I do, I suppose your connection with Judge Todd & your antient intimacy with Judge Duvel might give you an

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opening to say something to them on the subject. If Johnson could be backed by them in the practice, the others would be obliged to follow suit and this dangerous engine of consolidn would feel a proper restraint by their being compelled to explain publicly the grounds of their opinions. What I have stated as the Valedictory, is accdg to my recollection; if you find any error it shall be corrected in another letter. When you shall have read the inclosed be so good as to return it, as I have no other copy.

The literary board have advanced 40,000 D. and will retain the balance for us as requested until the end of the year, and the building is going on rapidly. Ever & affectly. yours.

TO JAMES MONROE. J.MSS.

MONTICELLO, June 23, 1823.

DEAR SIR,—I have been lately visited by a Mr. Miralla, a native of Buenos Ayres, but resident in Cuba for the last seven or eight years; a person of intelligence, of much information, and frankly communicative. I believe, indeed, he is known to you. I availed myself of the opportunity of learning what was the state of public sentiment in Cuba as to their future course. He says they should be satisfied to remain as they are; but all are sensible that that cannot be; that whenever circumstances shall render a separation from Spain necessary, a perfect independance would be their choice, provided they could see a certainty of protection; but that, without that prospect, they would be divided in opinion between an incorporation with Mexico, and with the United States.—Columbia being too remote for prompt support. The considerations in favor of Mexico are that the Havana would be the emporium for all the produce of that immense and wealthy country, and of course, the medium of all its commerce; that having no ports on its eastern coast, Cuba would become the depot of its naval stores and strength, and, in effect, would, in a great measure, have the sinews of the government in its hands. That in favor of the United States is the fact that three-fourths of the exportations from Havana come to the United States, that they are a settled government, the power

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which can most promptly succor them, rising to an eminence promising future security; and of which they would make a member of the sovereignty, while as to England, they would be only a colony, subordinated to her interest, and that there is not a man in the island who would not resist her to the bitterest extremity. Of this last sentiment I had not the least idea at the date of my late letters to you. I had supposed an English interest there quite as strong as that of the United States, and therefore, that, to avoid war, and keep the island open to our own commerce, it would be best to join that power in mutually guaranteeing its independence. But if there is no danger of its falling into the possession of England, I must retract an opinion founded on an error of fact. We are surely under no obligation to give her, gratis, an interest which she has not; and the whole inhabitants being averse to her, and the climate mortal to strangers, its continued military occupation by her would be impracticable. It is better then to lie still in readiness to receive that interesting incorporation when solicited by herself. For, certainly, her addition to our confederacy is exactly what is wanting to round our power as a nation to the point of its utmost interest.

I have thought it my duty to acknowledge my error on this occasion, and to repeat a truth before acknowledged, that, retired as I am, I know too little of the affairs of the world to form opinions of them worthy of any attention; and I resign myself with reason, and perfect confidence to the care and guidance of those to whom the helm is committed. With this assurance, accept that of my constant and affectionate friendship and respect.

TO ALBERT GALLATIN. J. MSS.

MONTICELLO, August 2, 1823.

DEAR SIR,—A recent illness, from which I am just recovering, obliges me to borrow the pen of a granddaughter to acknowledge the receipt of your welcome favor, of June 29, from New York. I read it with great satisfaction. Occasional views, to be relied on, of the complicated affairs of Europe are like a good observation at sea, which tells one where they are, after wander-

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ing through the newspapers till they are bewildered. I keep my eye on the cortes as my index, and judge of everything by their position and proceedings. I do not readily despair of Spain. Their former example proved them, and the cause is the same, their constitutional cortes and king. At any rate I despair not of Europe. The advance of mind which has taken place everywhere cannot retrograde, and the advantages of representative government exhibited in England and America, and recently in other countries, will procure its establishment everywhere in a more or less perfect form ; and this will insure the amelioration of the condition of the world. It will cost years of blood, and be well worth them.

Here you will not immediately see into our political condition which you once understood so well. It is not exactly what it seems to be. You will be told that parties are now all amalgamated ; the wolf now dwells with the lamb, and the leopard lies down with the kid. It is true that Federalism has changed its name and hidden itself among us. Since the Hartford Convention it is deemed even by themselves a name of reproach. In some degree, too, they have varied their object. To monarchize this nation they see is impossible ; the next best thing in their view is to consolidate it into one government as a premier pas to monarchy. The party is now as strong as it ever has been since 1800. ; and, though mixed with us, are to be known by their rallying together on every question of power in a general government. The judges, as before, are at their head, and are their entering wedge. Young men are more easily seduced into this principle than the old one of monarchy. But you will soon see into this disguise. Your visit to this place would indeed be a day of jubilee : but your age and distance forbid the hope. Be this as it will, I shall love you forever, and rejoice in your rejoicing, and sympathize in your evils. God bless you and have you ever in his holy keeping.

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TO SAMUEL H. SMITH. J.MSS.

MONTICELLO Aug. 2. 23.

DEAR SIR,—I agree with you in all the definitions of your favor of July 22. of the qualificns necessary for the chair of the US. and I add another. He ought to be disposed rigorously to maintain the line of power marked by the constitution between the two co-ordinate governments, each sovereign & independant in it's department, the states as to everything relating to themselves and their state, the General government as to everything relating to things or persons out of a particular state. The one may be strictly called the Domestic branch of government which is sectional but sovereign, the other the foreign branch of government co-ordinate with the other domestic & equally sovereign on it's own side of the line. The federalists, baffled in their schemes to monarchise us, have given up their name, which the Hartford Convention had made odious, and have taken shelter among us and under our name. But they have not only changed the point of attack. On every question of the usurpation of State powers by the Foreign or Genl govmt, the same men rally together, force the line of demarcation and consolidate the government. The judges are at their head as heretofore, and are their entering wedge. The true old republicans stand to the line, and will I hope die on it if necessary. Let our next president be aware of this new party principle and firm in maintaining the constitutional line of demarcation. But agreeing in your principles, I am not sufficiently acquainted with the numerous candidates to apply them personally. With one I have had a long acquaintance, but little intimate because little in political unison. With another a short but more favorable acquaintance because always in unison. With others merely a personal recognition. Thus unqualified to judge, I am equally indisposed in my state of retirement, at my age and last stage of debility. I ought not to quit the port in which I am quietly moored to commit myself again to the stormy ocean of political or party contest, to kindle new enmities, and lose old friends. No, my dear sir, tranquility is the summum bonum of old age, and there is a time when it is a duty to leave the government

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of the world to the existing generation, and to repose one's self under their protecting hand. That time is come with me, and I welcome it. A recent illness from which I am just recovered obliges me to borrow the pen of a granddaughter to say these things to you, to assure you of my continued esteem and respect, and to request you to recall me to the friendly recollections of Mrs. Smith.[1]

TO GEORGE HAY. J. MSS.

MONTICELLO Aug. 17. 23.

DEAR SIR,—I recd. yesterday your favor of the 11th. It referred to something said to be inclosed, without saying what, and, in fact nothing was inclosed. But the preceding mail had brot me the Nat. Intell. of the 7th & 9th in which was a very able discussion on the mode of electing our President signed Phocion. This I suspect is what your letter refers to. If I am right in this conjecture, I have no hesitation in saying that I have ever considered the constitutional mode of election ultimately by the legislature voting by states as the most dangerous blot in our constn, and one which some unlucky chance will some day hit, and give us a pope & anti-pope. I looked there-

[1] Of this letter Jefferson later wrote to Smith:

MONTO Dec. 19. 23.

Do not for the world, my dear Sir, suffer my letter of Aug. 2. to get before the public, nor to go out of your own hands or to be copied. I am always averse to the publication of my letters because I wish to be at rest, retired & unnoticed. But most especially this letter. I never meant to meddle in a Presidential election, and in a letter to a person in N. Y. written after the date of the one to you I declared that I would take no part in the ensuing one and permitted him to publish the letter. A thousand improprieties, indelicacies & considns of friendship strongly felt by myself, forbid it. I am glad you did not name to me those to whom you had thought to give a copy, because not knowing who they are my unwillingness cannot be felt by any as proceeding from a want of personal confidence, but truly from the motives above stated. I hope the choice will fall on some real republican, who will continue the admn on the express principles of the constn unadulterated by constructions reducing it to a blank to be filled with what every one pleases and what never was intended. With this I shall be contented. Accept for yourself & Mrs. Smith the assurances of my affectionate esteem & respect.

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fore with anxiety to the amendment proposed by Colo. Taylor at the last session of Congress, which I thought would be a good substitute, if on an equal division of the electors after a 2d appeal to them the ultimate decision between the two highest had been given by it to the legislature voting per capita. But the states are now so numerous that I despair of ever seeing another amdmt to the constn, altho the innovns of time will certainly call and now already call for some, and especially the smaller states are so numerous as to render desperate every hope of obtaining a sufficient proportion of them in favor of Phocion's proposition. Another general convention can alone relieve us. What then is the best palliative of the evil in the mean time? Another short question points to the answer. Would we rather the choice should be made by the legislature voting in Congress by states, or in Caucus per capita? The remedy is indeed bad, but the disease worse!

But I have long since withdrawn from attention to political affairs. Age & debility render me unequal and disinclined to them, and two crippled wrists to the use of the pen. Peace with all the world and a quiet descent thro' the remainder of my time are now so necessary to my happiness that I am unwilling by the expression of any opinion before the public to rekindle antient animosities, covered under their ashes indeed but not extinguished. Yet altho' weaned from politics, I am not so from the love of my friends, and to yourself particularly I can give assurance with truth of my constant, and cordial affection & respect.

TO WILLIAM BRANCH GILES. J. MSS.

MONTICELLO Aug. 29. 23.

DEAR SIR,—On receipt of your former letter of May 31. I communicated it to my gr. son Jefferson Randolph. On considn of the subject he was induced to think that the vindicn of Mr. W. C. N.'s character, if it needed it at all would be particularly incumbent on his brother Mr. Norborne Nicholas and would in his be in more competent hands. He therefore communicated the lre to him, and referred to him to act on it, as he should think best. Your last letter of July 29 came to my hands of the

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21st inst. only. Jefferson was then absent on a journey so that I did not see him till the evening of the 27th when I communicated to him this letter also. He observed to me that having referred the whole matter to Mr. N. Nicholas he was unwilling to meddle with it at all. I therefore went on the 28th (yesterday) to Charlsvl. at the hour prescribed & found there Mr Pollard with his counsel Mr. Dyer, but no magistrates. I had written my answers to your interrogatories & shewed them to the gentlemen, asking of Mr. Pollard if (as no magistrates attended) he would suffer them to be read by consent. He said he should do whatever his counsel advised. I then asked his counsel, who answered that they could consent to nothing, at the same time acknoleging that the answers were such as every man would give who knew anything of Colo. Nicholas. We parted therefore re infecta. Reflecting however, on my return home, I became sensible that you must have depended either on Jef. Randolph or myself for procuring magistrates and was mortified that, on their refusing consent, it did not occur to me on the instant, to go out and hunt up a couple of magistrates. I therefore returned to Charlesvl early this morning, found Mr. Pollard still there, went out & procured the attendce of 2 magistrates, and the deposn was taken, and is in the letter I now enclose for the clerk of your court. That you may know what it is I return you your interrogatories with the answers I gave to them & those of the other party with the answers to them also which I scribbled on my knee. These were copied verbatim into the deposn without a word more or less: this will explain to you why the deposition has been taken this day instead of yesterday and with every wish which friendship can inspire for your happy issue out of this entanglement, I give assurances of my constant and unchangeable affection & respect.

TO JAMES MADISON.

J. MSS.

MONTICELLO, August 30, 1823.

DEAR SIR,—I received the enclosed letters from the President with a request, that after perusal I would forward them to you for perusal by yourself also, and to be returned then to him.

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You have doubtless seen Timothy Pickering's fourth of July observations on the Declaration of Independence. If his principles and prejudices, personal and political, gave us no reason to doubt whether he had truly quoted the information he alleges to have received from Mr. Adams, I should then say, that in some of the particulars, Mr. Adams' memory has led him into unquestionable error. At the age of eighty-eight, and forty-seven years after the transactions of Independence, this is not wonderful. Nor should I, at the age of eighty, on the small advantage of that difference only, venture to oppose my memory to his, were it not supported by written notes, taken by myself at the moment and on the spot. He says, "the committee of five, to wit, Dr. Franklin, Sherman, Livingston, and ourselves, met, discussed the subject, and then appointed him and myself to make the draught; that we, as a sub-committee, met, and after the urgencies of each on the other, I consented to undertake the task; that the draught being made, we, the sub-committee, met, and conned the paper over, and he does not remember that he made or suggested a single alteration." Now these details are quite incorrect. The committee of five met; no such thing as a sub-committee was proposed, but they unanimously pressed on myself alone to undertake the draught. I consented; I drew it; but before I reported it to the committee, I communicated it *separately* to Dr. Franklin and Mr. Adams, requesting their corrections, because they were the two members of whose judgments and amendments I wished most to have the benefit, before presenting it to the committee; and you have seen the original paper now in my hands, with the corrections of Dr. Franklin and Mr. Adams interlined in their own hand writings. Their alterations were two or three only, and merely verbal. I then wrote a fair copy, reported it to the committee, and from them, unaltered, to Congress. This personal communication and consultation with Mr. Adams, he has misremembered into the actings of a sub-committee. Pickering's observations, and Mr. Adams' in addition, "that it contained no new ideas, that it is a common-place compilation, its sentiments hacknied in Congress for two years before, and its essence contained in Otis' pamphlet," may all be true. Of that I am not to be the judge. Richard Henry Lee charged it as

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copied from Locke's treatise on government. Otis' pamphlet I never saw, and whether I had gathered my ideas from reading or reflection I do not know. I know only that I turned to neither book nor pamphlet while writing it. I did not consider it as any part of my charge to invent new ideas altogether, and to offer no sentiment which had ever been expressed before. Had Mr. Adams been so restrained, Congress would have lost the benefit of his bold and impressive advocations of the rights of Revolution. For no man's confident and fervid addresses, more than Mr. Adams', encouraged and supported us through the difficulties surrounding us, which, like the ceaseless action of gravity weighed on us by night and by day. Yet, on the same ground, we may ask what of these elevated thoughts was new, or can be affirmed never before to have entered the conceptions of man?

Whether, also, the sentiments of Independence, and the reasons for declaring it, which make so great a portion of the instrument, had been hackneyed in Congress for two years before the 4th of July, '76, or this dictum also of Mr. Adams be another slip of memory, let history say. This, however, I will say for Mr. Adams, that he supported the Declaration with zeal and ability, fighting fearlessly for every word of it. As to myself, I thought it a duty to be, on that occasion, a passive auditor of the opinions of others, more impartial judges than I could be, of its merits or demerits. During the debate I was sitting by Doctor Franklin, and he observed that I was writhing a little under the acrimonious criticisms on some of its parts; and it was on that occasion, that by way of comfort, he told me the story of John Thompson, the hatter, and his new sign.

Timothy thinks the instrument the better for having a fourth of it expunged. He would have thought it still better, had the other three-fourths gone out also, all but the single sentiment (the only one he approves), which recommends friendship to his dear England, whenever she is willing to be at peace with us. His insinuations are, that although "the high tone of the instrument was in unison with the warm feelings of the times, this sentiment of habitual friendship to England should never be forgotten, and that the duties it enjoins should *especially* be borne in mind on every celebration of this anniversary." In other

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words, that the Declaration, as being a libel on the government of England, composed in times of passion, should now be buried in utter oblivion, to spare the feelings of our English friends and Angloman fellow-citizens. But it is not to wound them that we wish to keep it in mind; but to cherish the principles of the instrument in the bosoms of our own citizens: and it is a heavenly comfort to see that these principles are yet so strongly felt, as to render a circumstance so trifling as this little lapse of memory of Mr. Adams, worthy of being solemnly announced and supported at an anniversary assemblage of the nation on its birthday. In opposition, however, to Mr. Pickering, I pray God that these principles may be eternal, and close the prayer with my affectionate wishes for yourself of long life, health and happiness.

TO JOHN ADAMS. J. MSS.

MONTICELLO, September 4, 1823.

DEAR SIR,—Your letter of August the 15th was received in due time, and with the welcome of everything which comes from you. With its opinions on the difficulties of revolutions from despotism to freedom, I very much concur. The generation which commences a revolution rarely completes it. Habituated from their infancy to passive submission of body and mind to their kings and priests, they are not qualified when called on to think and provide for themselves; and their inexperience, their ignorance and bigotry make them instruments often, in the hands of the Bonapartes and Iturbides, to defeat their own rights and purposes. This is the present situation of Europe and Spanish America. But it is not desperate. The light which has been shed on mankind by the art of printing, has eminently changed the condition

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of the world. As yet, that light has dawned on the middling classes only of the men in Europe. The kings and the rabble, of equal ignorance, have not yet received its rays; but it continues to spread, and while printing is preserved, it can no more recede than the sun return on his course. A first attempt to recover the right of self-government may fail, so may a second, a third, &c. But as a younger and more instructed race comes on, the sentiment becomes more and more intuitive, and a fourth, a fifth, or some subsequent one of the ever renewed attempts will ultimately succeed. In France, the first effort was defeated by Robespierre, the second by Bonaparte, the third by Louis XVIII. and his holy allies: another is yet to come, and all Europe, Russia excepted, has caught the spirit; and all will attain representative government, more or less perfect. This is now well understood to be a necessary check on kings, whom they will probably think it more prudent to chain and tame, than to exterminate. To attain all this, however, rivers of blood must yet flow, and years of desolation pass over; yet the object is worth rivers of blood, and years of desolation. For what inheritance so valuable, can man leave to his posterity? The spirit of the Spaniard, and his deadly and eternal hatred to a Frenchman, give me much confidence that he will never submit, but finally defeat this atrocious violation of the laws of God and man, under which he is suffering; and the wisdom and firmness of the Cortes, afford reasonable hope, that that nation will settle down in a temperate re-

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presentative government, with an executive properly subordinated to that. Portugal, Italy, Prussia, Germany, Greece, will follow suit. You and I shall look down from another world on these glorious achievements to man, which will add to the joys even of heaven.

I observe your toast of Mr. Jay on the 4th of July, wherein you say that the omission of his signature to the Declaration of Independence was by *accident*. Our impressions as to this fact being different, I shall be glad to have mine corrected, if wrong. Jay, you know, had been in constant opposition to our laboring majority. Our estimate at the time was, that he, Dickinson and Johnson of Maryland, by their ingenuity, perseverance and partiality to our English connection, had constantly kept us a year behind where we ought to have been in our preparations and proceedings. From about the date of the Virginia instructions of May the 15th, 1776, to declare Independence, Mr. Jay absented himself from Congress, and never came there again until December, 1778. Of course, he had no part in the discussions or decision of that question. The instructions to their Delegates by the Convention of New York, then sitting, to sign the Declaration, were presented to Congress on the 15th of July only, and on that day the journals show the absence of Mr. Jay, by a letter received from him, as they had done as early as the 29th of May by another letter. And I think he had been omitted by the convention on a new election of Delegates, when they changed their instructions.

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Of this last fact, however, having no evidence but an ancient impression, I shall not affirm it. But whether so or not, no agency of *accident* appears in the case. This error of fact, however, whether yours or mine, is of little consequence to the public. But truth being as cheap as error, it is as well to rectify it for our own satisfaction.

I have had a fever of about three weeks, during the last and preceding month, from which I am entirely recovered except as to strength.

TO JOHN ADAMS. J. MSS.

MONTICELLO, October 12, 1823.

DEAR SIR,—I do not write with the ease which your letter of September the 18th supposes. Crippled wrists and fingers make writing slow and laborious. But while writing to you, I lose the sense of these things in the recollection of ancient times, when youth and health made happiness out of everything. I forget for a while the hoary winter of age, when we can think of nothing but how to keep ourselves warm, and how to get rid of our heavy hours until the friendly hand of death shall rid us of all at once. Against this *tedium vitæ*, however, I am fortunately mounted on a hobby, which, indeed, I should have better managed some thirty or forty years ago; but whose easy amble is still sufficient to give exercise and amusement to an octogenary rider. This is the establishment of a University, on a scale more comprehensive, and in a country more healthy and

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central than our old William and Mary, which these obstacles have long kept in a state of languor and inefficiency. But the tardiness with which such works proceed, may render it doubtful whether I shall live to see it go into action.

Putting aside these things, however, for the present, I write this letter as due to a friendship coeval with our government, and now attempted to be poisoned, when too late in life to be replaced by new affections. I had for sometime observed in the public papers, dark hints and mysterious inuendoes of a correspondence of yours with a friend, to whom you had opened your bosom without reserve, and which was to be made public by that friend or his representative. And now it is said to be actually published. It has not yet reached us, but extracts have been given, and such as seemed most likely to draw a curtain of separation between you and myself. Were there no other motive than that of indignation against the author of this outrage on private confidence, whose shaft seems to have been aimed at yourself more particularly, this would make it the duty of every honorable mind to disappoint that aim, by opposing to its impression a seven-fold shield of apathy and insensibility. With me, however, no such armor is needed. The circumstances of the times in which we have happened to live, and the partiality of our friends at a particular period, placed us in a state of apparent opposition, which some might suppose to be personal also; and there might not be wanting those who wished to make it so, by filling

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our ears with malignant falsehoods, by dressing up hideous phantoms of their own creation, presenting them to you under my name, to me under yours, and endeavoring to instil into our minds things concerning each other the most destitute of truth. And if there had been, at any time, a moment when we were off our guard, and in a temper to let the whispers of these people make us forget what we had known of each other for so many years, and years of so much trial, yet all men who have attended to the workings of the human mind, who have seen the false colors under which passion sometimes dresses the actions and motives of others, have seen also those passions subsiding with time and reflection, dissipating like mists before the rising sun, and restoring to us the sight of all things in their true shape and colors. It would be strange indeed, if, at our years, we were to go back an age to hunt up imaginary or forgotten facts, to disturb the repose of affections so sweetening to the evening of our lives. Be assured, my dear Sir, that I am incapable of receiving the slightest impression from the effort now made to plant thorns on the pillow of age, worth and wisdom, and to sow tares between friends who have been such for near half a century. Beseeching you then, not to suffer your mind to be disquieted by this wicked attempt to poison its peace, and praying you to throw it by among the things which have never happened, I add sincere assurances of my unabated and constant attachment, friendship and respect.

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TO JAMES MADISON. J. MSS.

MONTICELLO Oct. 18. 23.

DEAR SIR,—I return you Mr. Coxe's letter which has cost me much time at two or three different attempts to decypher it. Had I such a correspondent I should certainly admonish him that if he would not so far respect my time as to write to me legibly, I should so far respect it myself as not to waste it in decomposing and recomposing his hieroglyphics.

The jarrings between the friends of Hamilton and Pickering will be of advantage to the cause of truth. It will denudate the monarchism of the former and justify our opposition to him, and the malignity of the latter which nullifies his testimony in all cases which his passion can discolor. God bless you, and preserve you many years.

TO JAMES MONROE. J. MSS.

MONTICELLO, Oct. 19. 23.

DEAR SIR,—I forward you the inclosed letter on the same ground on which it is addressed to me, and not that Duane has any moral claims on us. His defection from the republican ranks, his transition to the Federalists, and giving triumph, in an important state, to wrong over right, have dissolved, of his own seeking, his connection with us. Yet the energy of his press, when our cause was laboring, and all but lost, under the overwhelming weight of it's powerful adversaries, it's unquestionable effect in the revolution produced in the public mind, which arrested the rapid march of our government towards monarchy, overweigh in fact the demerit of his desertion, when we had become too strong to suffer from it sensibly. He is in truth the victim of passions which his principles were not strong enough to controul. Altho therefore we are not bound to clothe him with the best robe, to put a ring on his finger, and to kill the fatted calf for him, yet neither should we leave him to eat husks with the swine. His advocate may look too high when he talks of the Post office; but if some more secondary birth should be vacant (as Depy collector, Inspector, Nav. officer) something which would feed and

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cover him decently, I am persuaded it would be a gratification to the old republicans, who do not feel that all he has done is cancelled by one false step. As to any particular demerits towards yourself, without recollecting them, I am sure you were above their infliction, & the more so as he was then fighting openly in the ranks of the enemy. But all this is left to your own feelings and reflection, being written only 'ut valeat quantum valere potest.' Dios guarde a Vm muchos anos.[1]

[1] Jefferson later wrote to Monroe:

MONTO. July 2. 24.

DEAR SIR,—I took the liberty some time last fall of placing Mr. Duane under your notice, should anything occur adapted to his qualifns and to his situation which I understood to be needy in the extreme. His talents and informn are certainly great, and the services he rendered us when we needed them and his personal sacrifices and sufferings were signal and efficacious and left on us a moral duty not to forget him under misfortune. His subsequent aberrations were after we were too strong to be injured by them. I have lately recd. a letter from him, which I inclose because it will better shew his prospects of distress and anxieties for relief than anything I could say. Whether the latter may too much influence his reasonable hopes, you are the proper judge. If they do, his former merits will still claim a recollection on any proper occasion which may occur. I perform a duty in communicating his wish, yours will be to weigh it's relations to the public service. I congratulate you on the return of repose after a campaign so agitating as the late one. Your nephew who was so kind as to call on me a day or two ago, gave me hopes we should see you here. During the summer or early autumn I have a visit to Bedford in contempln, the time of which is quite immaterial, and could I previously know when that of your visit to Albermarle will probably be, I should so arrange mine as not to miss the pleasure of seeing you here. I salute you with sincere & affectionate respect.

He also wrote to Duane:

MONTICELLO May 31. 24.

DEAR SIR,—I received a few days ago a pamphlet on the subject of America, England and the Holy alliance, and read it with unusual interest and concurrence of opn. It furnished a simple and satisfy key for the solution of all the riddles of British conduct & policy. While considering and conjecturing who could be its author, I happened to cast my eye on the few words of superscription, and thōt the handwriting not unknown to me. I turned to my letters of correspdce. and found it's tally which left me no longer at a loss to whom my thanks should be addressed, and to return these thanks is the object of this letter. In Nov. last I received a letter from some friend of yours who chose to be anonymous, suggesting that your situation might be bettered and the govern-

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TO JAMES MONROE. J. MSS.

MONTICELLO, October 24, 1823.

DEAR SIR,—The question presented by the letters you have sent me, is the most momentous which has ever been offered to my contemplation since that of Independence. That made us a nation, this sets our compass and points the course which we are to steer through the ocean of time opening on us. And never could we embark on it under circumstances more auspicious. Our first and fundamental maxim should be, never to entangle ourselves in the broils of Europe. Our second, never to suffer Europe to intermeddle with cis-Atlantic affairs. America, North and South, has a set of interests distinct from those of Europe, and peculiarly her own. She should therefore have a system of her own, separate and apart from that of Europe. While the last is laboring to become the domicil of despotism, our endeavor should surely be, to make our hemisphere that of freedom. One nation, most of all, could disturb us in this pursuit; she now offers to lead, aid, and accompany us in it. By acceding to her proposition, we detach her from the bands, bring her mighty weight into the scale of free government, and emancipate a continent at one stroke, which might otherwise linger long in doubt and difficulty. Great Britain is the nation which can do us the most harm of any one, or all on earth; and with her on our side we need not fear the whole world. With her then, we should most sedulously cherish a cordial friendship; and nothing would tend more to knit our affections than to be fighting once more, side by side, in the same cause. Not that I would purchase even her amity at the price of taking part in her wars. But the war

ment advantaged by availing itself of your services in some line. I immediately wrote to a friend whose situation enabled him to attend to this. I have received no answer but hope it is kept in view. I am long since withdrawn from the political world, think little, read less, and know all but nothing of what is going on; but I have not forgotten the past nor those who were fellow-laborers in the gloomy hours of federal ascendancy when the spirit of republicanism was beaten down, its votaries arraigned as criminals, and such threats denounced as posterity would never believe. My means of service are slender; but such as they are, if you can make them useful to you in any sollicitn. they shall be sincerely employed. In the mean time, I assure you my continued frdshp & respect.

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in which the present proposition might engage us, should that be its consequence, is not her war, but ours. Its object is to introduce and establish the American system, of keeping out of our land all foreign powers, of never permitting those of Europe to intermeddle with the affairs of our nations. It is to maintain our own principle, not to depart from it. And if, to facilitate this, we can effect a division in the body of the European powers, and draw over to our side its most powerful member, surely we should do it. But I am clearly of Mr. Canning's opinion, that it will prevent instead of provoking war. With Great Britain withdrawn from their scale and shifted into that of our two continents, all Europe combined would not undertake such a war. For how would they propose to get at either enemy without superior fleets? Nor is the occasion to be slighted which this proposition offers, of declaring our protest against the atrocious violations of the rights of nations, by the interference of any one in the internal affairs of another, so flagitiously begun by Bonaparte, and now continued by the equally lawless Alliance, calling itself Holy.

But we have first to ask ourselves a question. Do we wish to acquire to our own confederacy any one or more of the Spanish provinces? I candidly confess, that I have ever looked on Cuba as the most interesting addition which could ever be made to our system of States. The control which, with Florida Point, this island would give us over the Gulf of Mexico, and the countries and isthmus bordering on it, as well as all those whose waters flow into it, would fill up the measure of our political well-being. Yet, as I am sensible that this can never be obtained, even with her own consent, but by war; and its independence, which is our second interest, (and especially its independence of England,) can be secured without it, I have no hesitation in abandoning my first wish to future chances, and accepting its independence, with peace and the friendship of England, rather than its association, at the expense of war and her enmity.

I could honestly, therefore, join in the declaration proposed, that we aim not at the acquisition of any of those possessions, that we will not stand in the way of any amicable arrangement between them and the mother country; but that we will oppose,

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with all our means, the forcible interposition of any other power, as auxiliary, stipendiary, or under any other form or pretext, and most especially, their transfer to any power by conquest, cession, or acquisition in any other way. I should think it, therefore, advisable, that the Executive should encourage the British government to a continuance in the dispositions expressed in these letters, by an assurance of his concurrence with them as far as his authority goes; and that as it may lead to war, the declaration of which requires an act of Congress, the case shall be laid before them for consideration at their first meeting, and under the reasonable aspect in which it is seen by himself.

I have been so long weaned from political subjects, and have so long ceased to take any interest in them, that I am sensible I am not qualified to offer opinions on them worthy of any attention. But the question now proposed involves consequences so lasting, and effects so decisive of our future destinies, as to rekindle all the interest I have heretofore felt on such occasions, and to induce me to the hazard of opinions, which will prove only my wish to contribute still my mite towards anything which may be useful to our country. And praying you to accept it at only what it is worth, I add the assurance of my constant and affectionate friendship and respect.

TO THE MARQUIS DE LA FAYETTE. J. MSS.

MONTICELLO, November 4, 1823.

MY DEAR FRIEND,—Two dislocated wrists and crippled fingers have rendered writing so slow and laborrious, as to oblige me to withdraw from nearly all correspondence; not however, from yours, while I can make a stroke with a pen. We have gone through too many trying scenes together, to forget the sympathies and affections they nourished.

Your trials have indeed been long and severe. When they will end, is yet unknown, but where they

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will end, cannot be doubted. Alliances, Holy or Hellish, may be formed, and retard the epoch of deliverance, may swell the rivers of blood which are yet to flow, but their own will close the scene, and leave to mankind the right of self-government. I trust that Spain will prove, that a nation cannot be conquered which determines not to be so, and that her success will be the turning of the tide of liberty, no more to be arrested by human efforts. Whether the state of society in Europe can bear a republican government, I doubted, you know, when with you, and I do now. A hereditary chief, strictly limited, the right of war vested in the legislative body, a rigid economy of the public contributions, and absolute interdiction of all useless expenses, will go far towards keeping the government honest and unoppressive. But the only security of all is in a free press. The force of public opinion cannot be resisted, when permitted freely to be expressed. The agitation it produces must be submitted to. It is necessary, to keep the waters pure.

We are all, for example, in agitation even in our peaceful country. For in peace as well as in war, the mind must be kept in motion. Who is to be the next President, is the topic here of every conversation. My opinion on that subject is what I expressed to you in my last letter. The question will be ultimately reduced to the northernmost and southernmost candidate. The former will get every federal vote in the Union, and many republicans; the latter, all of those denominated *of the old school;* for you are

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not to believe that these two parties are amalgamated, that the lion and the lamb are lying down together. The Hartford Convention, the victory of Orleans, the peace of Ghent, prostrated the name of federalism. Its votaries abandoned it through shame and mortification; and now call themselves republicans. But the name alone is changed, the principles are the same. For in truth, the parties of Whig and Tory, are those of nature. They exist in all countries, whether called by these names, or by those of Aristocrats and Democrats, Coté Droite and Coté Gauche, Ultras and Radicals, Serviles, and Liberals. The sickly, weakly, timid man, fears the people, and is a tory by nature. The healthy, strong and bold, cherishes them, and is formed a whig by nature. On the eclipse of federalism with us, although not its extinction, its leaders got up the Missouri question, under the false front of lessening the measure of slavery, but with the real view of producing a geographical division of parties, which might insure them the next President. The people of the north went blindfold into the snare, followed their leaders for awhile with a zeal truly moral and laudable, until they became sensible that they were injuring instead of aiding the real interests of the slaves, that they had been used merely as tools for electioneering purposes; and that trick of hypocrisy then fell as quickly as it had been got up. To that is now succeeding a distinction, which, like that of republican and federal, or whig and tory, being equally intermixed through every State, threatens none of those

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geographical schisms which go immediately to a separation. The line of division now, is the preservation of State rights as reserved in the constitution, or by strained constructions of that instrument, to merge all into a consolidated government. The tories are for strengthening the executive and general Government; the whigs cherish the representative branch, and the rights reserved by the States, as the bulwark against consolidation, which must immediately generate monarchy. And although this division excites, as yet, no warmth, yet it exists, is well understood, and will be a principle of voting at the ensuing election, with the reflecting men of both parties.

I thank you much for the two books you were so kind as to send me by Mr. Gallatin. Miss Wright had before favored me with the first edition of her American work; but her "Few days in Athens," was entirely new, and has been a treat to me of the highest order. The manner and matter of the dialogue is strictly ancient; and the principles of the sects are beautifully and candidly explained and contrasted; and the scenery and portraiture of the interlocutors are of higher finish than anything in that line left us by the ancients; and like Ossian, if not ancient, it is equal to the best morsels of antiquity. I augur, from this instance, that Herculaneum is likely to furnish better specimens of modern than of ancient genius; and may we not hope more from the same pen?

After much sickness, and the accident of a broken and disabled arm, I am again in tolerable health, but

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extremely debilitated, so as to be scarcely able to walk into my garden. The hebetude of age, too, and extinguishment of interest in the things around me, are weaning me from them and dispose me with cheerfulness to resign them to the existing generation, satisfied that the daily advance of science will enable them to administer the commonwealth with increased wisdom. You have still many valuable years to give to your country, and with my prayers that they may be years of health and happiness, and especially that they may see the establishment of the principles of government which you have cherished through life, accept the assurance of my affectionate and constant friendship and respect.

TO JAMES MADISON. J. MSS.

MONTICELLO Nov. 15. 23.

DEAR SIR,—I return your letter to the President & that of Mr. Rush to you with thanks for the communication. The [1] matters which Mr. Rush states as under considn with the British govmt are verily interesting. But that about the navigation of the St. Lawrence & Misspi. I would rather they would let alone. The navign. of the former, since the N. Y. canal, is of too little interest to be cared about, that of the latter too serious on account of the inlet it would give to British smuggling and British tampering with the Indians. It would be an entering wedge to incalculable mischief, a powerful agent towds. separating the states.

[1] "to wit. 1. Our commercial intercourse embracing navign of St. Lawrence & Missipi.
2. Suppression of slave trade.
3. Northern bonndary.
4. Fisheries on W. coast of N. F-land.
5. Points of Maritime law.
6. Russian Ukase as to N. W. coast of America." *T. J.*

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I send you the rough draught of the letter I propose to write to F. Gilmer for your considn. and correction and salute you affectly.

TO JOHN FRY.

MONTICELLO Dec 2d 23

You have sent me, dear Sir, a noble animal, legitimated by superior force as a monarch of the Forest; and he has incurred the death which his brother legitimates have so much more merited; like them, in death, he becomes food for a nobler race, he for man, they for worms that will revel on them, but he dies innocent, and with death all his fears and pains are at an end; they die loaded with maledictions, and liable to a sentence and sufferings which we will leave to the justice of heaven to award.

In plain english we shall feast heartily on him, and thank you heartily as the giver of the feast.

With Assurances of friendly esteem and respect.

TO WILLIAM CARVER. J. MSS.

MONTICELLO, Dec. 4. 23.

I thank you, Sir, for the inedited letter of Thos Paine which you have been so kind as to send me. I recognise in it the strong pen and dauntless mind of Common Sense, which, among the numerous pamphlets written on the same occasion, so pre-eminently united us in our revolutionary opposition.

I return the two numbers of the periodical paper, as they appear to make part of a regular file. The language of these is too harsh, more calculated to irritate than to convince or to persuade. A devoted friend myself to freedom of religious enquiry and opinion, I am pleased to see others exercise the right without reproach or censure; and I respect their conclusions, however different from my own. It is their own reason, not mine, nor that of any other, which has been given them by their creator for the investigation of truth, and of the evidences even of those truths which are presented to us as revealed by himself. Fanaticism, it is true, is not sparing of her invectives

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against those who refuse blindly to follow her dictates in abandonment of their own reason. For the use of this reason, however, every one is responsible to the God who has planted it in his breast, as a light for his guidance, and that, by which alone he will be judged. Yet why retort invectives? It is better always to set a good example than to follow a bad one.

I received, in due time, the letter you mention of Jan. 27. and did not answer it, because the pain of writing has obliged me, for sometime, to withdraw from all correspondence not of moral and indespensable obligation. The duty of returning the inclosed papers furnishes the present occasion of tendering you my friendly and respectful salutations.

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TO THOMAS COOPER. J. MSS.

MONTO Dec. 11. 23.

DEAR SIR,—I duly recd your favor of the 23d ult. as also the 2 pamphlets you were so kind as to send me. That on the tariff I observed was soon reprinted in Ritchie's Enquirer. I was only sorry he did not postpone it to the meeting of Congress when it would have got into the hands of all the members and could not fail to have great effect, perhaps a decisive one. It is really an extraordinary proposition that the Agricultural, mercantile & navigating classes should be taxed to maintain that of manufactures. That the doctrine of materialism was that of Jesus himself was a new idea to me. Yet it is proved unquestionably. We all know it was that of some of the early Fathers. I hope the physiological part will follow. In spite of the prevailing fanaticism reason will make it's way. I confess that it's reign is at present appalling. General education is the true remedy, and that most happily is now generally encouraged. The story you mention as gotten up by your opponents of my having advised the trustees of our University to turn you out as a Professor is quite in their stile of barefaced mendacity. They find it so easy to obliterate the reason of mankind that they think they may enterprize safely on his memory also. For it was the winter before the last only that our annual report to the

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legislature, printed in the newspapers stated the precise ground on which we relinquished your engagement with our Central College. And, if my memory does not deceive me it was on your own proposition that the time of our getting into operation being postponed indefinitely, it was important to you not to lose an opportunity of fixing yourself permanently. And that they should father on me too the motive for this dismission, than whom no man living cherishes a higher estimation of your worth, talents, & information. But so the world goes. Man is fed with fables thro' life, leaves it in the belief he has known something of what has been passing, when in truth he has known nothing but what has passed under his own eye. And who are the great deceivers? Those who solemnly pretend to be the depositories of the sacred truths of God himself. I will not believe that the liberality of the state to which you are rendering services in science which no other man in the union is qualified to render it, will suffer you to be in danger from a set of conjurors. I note what you say of Mr. Finch; but the moment of our commencement is as indefinite as it ever was. Affectionately & respectfully yours.

TO GENERAL ANDREW JACKSON. J.MSS.

MONTO Dec. 18. 23.

DEAR GENERAL,—The apology in your letter of the 8th inst for not calling on me in your passage thro' our nbhood was quite unnecessary. The motions of a traveller are always controuled by so many imperious circumstances that wishes and courtesies must yield to their sway. It was reported among us, on I know not what authority, that you would be in Charlsvl on the 1st inst. on your way to Congress. I went there to have the pleasure of paying you my respects, but after staying some hours, met with a person lately from Staunton who assured me you had passed that place & gone on by the way of Winchester. I comforted myself then with the French adage that what is delayed is not therefore lost; and certainly in your passages to & from Washington should your travelling convenience ever permit a

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deviation to Monto. I shall receive you with distinguished welcome. Perhaps our University which you visited in it's unfinished state when finished & furnished with it's scientific popln, may tempt you to make a little stay with us. This will probably be by the close of the ensuing year, when it may appear to you worthy of encouraging the youth of your quarter as well as others to seek there the finishing complement of their education. I flatter myself it will assume a standing secondary to nothing in our country. If I live to see this I shall sing with cheerfulness the song of old Simeon's 'nunc dimittis Domine.'

I recall with pleasure the remembrance of our joint labors while in Senate together in times of great trial and of hard battling. Battles indeed of words, not of blood, as those you have since fought so much for your own glory & that of your country; with the assurance that my attamts continue undiminished, accept that of my great respect & considn.

TO THOMAS JEFFERSON GROTJAN.[1]

MONTICELLO, Jan. 10, '24.

Your affectionate mother requests that I would address to you, as a namesake, something which might have a favorable influence on the course of life you have to run. Few words are necessary, with good dispositions on your part. Adore God; reverence and cherish your parents; love your neighbor as yourself, and your country more than life. Be just; be true; murmur not at the ways of Providence—and the life into which you have entered will be one of eternal and ineffable bliss. Ann if to the dead it is permitted to care for the things of this world, every action of your life will be under my regard. Farewell.

TO JOHN DAVIS. J. MSS.

MONTICELLO Jan. 18. 24.

I thank you, Sir, for the copy you were so kind as to send me of the revd. Mr. Bancroft's Unitarian sermons. I have read them with great satisfaction, and always rejoice in efforts to re-

[1] From the *Historical Magazine*, xviii., 50.

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store us to primitive Christianity, in all the simplicity in which it came from the lips of Jesus. Had it never been sophisticated by the subtleties of Commentators, nor paraphrased into meanings totally foreign to it's character, it would at this day have been the religion of the whole civilized world. But the metaphysical abstractions of Athanasius, and the maniac ravings of Calvin, tinctured plentifully with the foggy dreams of Plato, have so loaded it with absurdities and incomprehensibilities, as to drive into infidelity men who had not time, patience, or opportunity to strip it of it's meretricious trappings, and to see it in all it's native simplicity and purity. I trust however that the same free exercise of private judgment which gave us our political reformation will extend it's effects to that of religion, which the present volume is well calculated to encourage and promote.

Not wishing to give offence to those who differ from me in opinion, nor to be implicated in a theological controversy, I have to pray that this letter may not get into print, and to assure you of my great respect and good will.

TO GEORGE THACHER. J. MSS.

MONTICELLO Jan. 26. 24.

SIR,—I have read with much satisfaction the Sermon of Mr. Pierpoint which you have been so kind as to send to me, and am much pleased with the spirit of brotherly forbearance in matters of religion which it breathes, and the sound distinction it inculcates between the things which belong to us to judge, and those which do not. If all Christian sects would rally to the Sermon on the mount, make that the central point of Union in religion, and the stamp of genuine Christianity, (since it gives us all the precepts of our duties to one another) why should we further ask, with the text of our sermon 'What think *ye* of Christ?' And if one should answer 'he is a member of the God-head,' another 'he is a being of eternal pre-existence,' a third 'he was a man divinely inspired,' a fourth 'he was the Herald of truths reformatory of the religions of mankind in general, but more immediately of that of his own countrymen, impressing them with more sub-

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lime and more worthy ideas of the Supreme being, teaching them the doctrine of a future state of rewards and punishments, and inculcating the love of mankind, instead of the anti-social spirit with which the Jews viewed all other nations,' what right, or what interest has either of these respondents to claim pre-eminence for his dogma, and, usurping the judgment-seat of God, to condemn all the others to his wrath? In this case, I say with the wiser heathen 'deorum injuriæ, diis curæ.'

You press me to consent to the publication of my sentiments and suppose they might have effect even on Sectarian bigotry. But have they not the Gospel? If they hear not that, and the charities it teacheth, neither will they be persuaded though one rose from the dead. Such is the malignity of religious antipathies that, altho' the laws will no longer permit them, with Calvin, to burn those who are not exactly of their Creed, they raise the Hue & cry of Heresy against them, place them under the ban of public opinion, and shut them out from all the kind affections of society. I must pray permission therefore to continue in quiet during the short time remaining to me: and, at a time of life when the afflictions of the body weigh heavily enough, not to superadd those which corrode the spirit also, and might weaken it's resignation to continuance in a joyless state of being which providence may yet destine. With these sentiments accept those of good will and respect to yourself.

TO JARED SPARKS.

J. MSS.

MONTICELLO, February 4, 1824.

DEAR SIR,—I duly received your favor of the 13th, and with it, the last number of the North American Review. This has anticipated the one I should receive in course, but have not yet received, under my subscription to the new series. The article on the African colonization of the people of color, to which you invite my attention, I have read with great consideration. It is, indeed, a fine one, and will do much good. I learn from it more, too, than I had before known, of the degree of success and promise of that colony.

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In the disposition of these unfortunate people, there are two rational objects to be distinctly kept in view. First. The establishment of a colony on the coast of Africa, which may introduce among the aborigines the arts of cultivated life, and the blessings of civilization and science. By doing this, we may make to them some retribution for the long course of injuries we have been committing on their population. And considering that these blessings will descend to the "*nati natorum, et qui nascentur ab illis,*" we shall in the long run have rendered them perhaps more good than evil. To fulfil this object, the colony of Sierra Leone promises well, and that of Mesurado adds to our prospect of success. Under this view, the colonization society is to be considered as a missionary society, having in view, however, objects more humane, more justifiable, and less aggressive on the peace of other nations, than the others of that appellation.

The second object, and the most interesting to us, as coming home to our physical and moral characters, to our happiness and safety, is to provide an asylum to which we can, by degrees, send the whole of that population from among us, and establish them under our patronage and protection, as a separate, free and independent people, in some country and climate friendly to human life and happiness. That any place on the coast of Africa should answer the latter purpose, I have ever deemed entirely impossible. And without repeating the other arguments which have been urged by others, I will appeal to figures only, which admit no controversy. I shall speak in round numbers, not absolutely accurate, yet not so wide from truth as to vary the result materially. There are in the United States a million and a half of people of color in slavery. To send off the whole of these at once, nobody conceives to be practicable for us, or expedient for them. Let us take twenty-five years for its accomplishment, within which time they will be doubled. Their estimated value as property, in the first place, (for actual property has been lawfully vested in that form, and who can lawfully take it from the possessors?) at an average of two hundred dollars each, young and old, would amount to six hundred millions of dollars, which must be paid or lost by somebody. To this, add the cost of their transportation by land and sea to Mesurado, a year's provision of

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food and clothing, implements of husbandry and of their trades, which will amount to three hundred millions more, making thirty-six millions of dollars a year for twenty-five years, with insurance of peace all that time, and it is impossible to look at the question a second time. I am aware that at the end of about sixteen years, a gradual detraction from this sum will commence, from the gradual diminution of breeders, and go on during the remaining nine years. Calculate this deduction, and it is still impossible to look at the enterprise a second time. I do not say this to induce an inference that the getting rid of them is forever impossible. For that is neither my opinion nor my hope. But only that it cannot be done in this way. There is, I think, a way in which it can be done; that is, by emancipating the after-born, leaving them, on due compensation, with their mothers, until their services are worth their maintenance, and then putting them to industrious occupations, until a proper age for deportation. This was the result of my reflections on the subject five and forty years ago, and I have never yet been able to conceive any other practicable plan. It was sketched in the Notes on Virginia, under the fourteenth query. The estimated value of the new-born infant is so low, (say twelve dollars and fifty cents,) that it would probably be yielded by the owner gratis, and would thus reduce the six hundred millions of dollars, the first head of expense, to thirty-seven millions and a half; leaving only the expense of nourishment while with the mother, and of transportation. And from what fund are these expenses to be furnished? Why not from that of the lands which have been ceded by the very States now needing this relief? And ceded on no consideration, for the most part, but that of the general good of the whole. These cessions already constitute one fourth of the States of the Union. It may be said that these lands have been sold; are now the property of the citizens composing those States; and the money long ago received and expended. But an equivalent of lands in the territories since acquired, may be appropriated to that object, or so much, at least, as may be sufficient; and the object, although more important to the slave States, is highly so to the others also, if they were serious in their arguments on the Missouri question. The slave

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States, too, if more interested, would also contribute more by their gratuitous liberation, thus taking on themselves alone the first and heaviest item of expense.

In the plan sketched in the Notes on Virginia, no particular place of asylum was specified; because it was thought possible, that in the revolutionary state of America, then commenced, events might open to us some one within practicable distance. This has now happened. St. Domingo has become independent, and with a population of that color only; and if the public papers are to be credited, their Chief offers to pay their passage, to receive them as free citizens, and to provide them employment. This leaves, then, for the general confederacy, no expense but of nurture with the mother a few years, and would call, of course, for a very moderate appropriation of the vacant lands. Suppose the whole annual increase to be of sixty thousand effective births, fifty vessels, of four hundred tons burthen each, constantly employed in that short run, would carry off the increase of every year, and the old stock would die off in the ordinary course of nature, lessening from the commencement until its final disappearance. In this way no violation of private right is proposed. Voluntary surrenders would probably come in as fast as the means to be provided for their care would be competent to it. Looking at my own State only, and I presume not to speak for the others, I verily believe that this surrender of property would not amount to more, annually, than half our present direct taxes, to be continued fully about twenty or twenty-five years, and then gradually diminishing for as many more until their final extinction; and even this half tax would not be paid in cash, but by the delivery of an object which they have never yet known or counted as part of their property; and those not possessing the object will be called on for nothing. I do not go into all the details of the burthens and benefits of this operation. And who could estimate its blessed effects? I leave this to those who will live to see their accomplishment, and to enjoy a beatitude forbidden to my age. But I leave it with this admonition, to rise and be doing. A million and a half are within their control; but six millions, (which a majority of those now living will see them attain,) and one million of these fighting men, will say, "we will not go."

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I am aware that this subject involves some constitutional scruples. But a liberal construction, justified by the object, may go far, and an amendment of the constitution, the whole length necessary. The separation of infants from their mothers, too, would produce some scruples of humanity. But this would be straining at a gnat, and swallowing a camel.

I am much pleased to see that you have taken up the subject of the duty on imported books. I hope a crusade will be kept up against it, until those in power shall become sensible of this stain on our legislation, and shall wipe it from their code, and from the remembrance of man, if possible.

I salute you with assurances of high respect and esteem.

TO JAMES MONROE. J. MSS.

MONTO. Feb. 5. 24.

DEAR SIR,—The inclosed letter is from a person entirely unknown to me. Yet it seems to expect a confidence which prudence cannot give to a stranger, and as he seems to write under your authority I take the liberty of confiding my answer to yourself directly & of returning his paper to you. I do not know that the publicn of the papers of the old Congress could be objected to, except such as might contain personalities of no consequence to history. But care should be taken that they should be impartially published and not all on one side. We have seen how false a face may be given to history by the garbling of documents. And even during the old Congress and in it's body we had our whigs & tories. Mr. Wagner says that for the present he acknoleges no party, and supposes his continuance in office during 6 y. of my admn a proof of his fidelity and impartiality even while he was a party man. But every one knows that the clerks of the offices had been appd under federal heads[1] and that I never medled with none of them. His conversion from vehemence to neutrality, having taken place only since his withdrawing from the Editorship of the Baltimore Federalist, the proofs of it have

[1] "Who appd federalists only and exclusively, that the whole mass of them were federal."—*T. J.*

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not yet reached our part of the country. Yet his word need not be doubted farther than as we all believe ourselves neutral. He is certainly capable of the task, and has the advge of being familiar with the arrangmt of the papers, yet not more so than the gentlemen now in that office & who have been longer in it than he was. On the whole my opinion is fable to the publicn when it can be fairly made but that it's want is not so pressing but that it is better to let it wait till it can be so done as to give to history it's true face.

I shall be among those most rejoiced at seeing La Fayette again. But I hope Congress is prepared to go thro' with their compliment worthily. That they do not mean to invite him merely to dine, that provision will be made for his expences here, which you know he cannot afford, and that they will not send him back empty handed. This would place us under indelible disgrace in Europe. Some 3. or 4. good townships, in Missouri, or Louisiana or Alabama &c. should be in readiness for him, and may restore his family to the opulence which his virtues have lost to them. I suppose the time of the visit will be left to himself, as the death of Louis XVIII which has probably taken place or soon must do will produce a crisis in his own country from which he could not absent himself by a visit of compliment. Ever & affectly yours.

TO ROBERT J. GARNETT. J. MSS.

MONTICELLO, February 14, 1824.

DEAR SIR,—I have to thank you for the copy of Colonel Taylor's New Views of the Constitution, and shall read them with the satisfaction and edification which I have ever derived from whatever he has written. But I fear it is the voice of one crying in the wilderness. Those who formerly usurped the *name* of federalists, which, *in fact*, they never were, have now openly abandoned it, and are as openly marching by the road of construction, in a direct line to that consolidation which was always their real object. They, almost to a man, are in possession of

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one branch of the government, and appear to be very strong in yours. The three great questions of amendment now before you, will give the measure of their strength. I mean, 1st, the limitation of the term of the presidential service; 2d, the placing the choice of president effectually in the hands of the people; 3d, the giving to Congress the power of internal improvement, on condition that each State's federal proportion of the monies so expended, shall be employed within the State. The friends of consolidation would rather take these powers by construction than accept them by direct investiture from the States. Yet, as to internal improvement particularly, there is probably not a State in the Union which would not grant the power on the condition proposed, or which would grant it without that.

The best general key for the solution of questions of power between our governments, is the fact that "every foreign and federal power is given to the federal government, and to the States every power purely domestic." I recollect but one instance of control vested in the federal, over the State authorities in a matter purely domestic, which is that of metallic tenders. The federal is, in truth, our foreign government, which department alone is taken from the sovereignty of the separate States.

The real friends of the constitution in its federal form, if they wish it to be immortal, should be attentive, by amendments, to make it keep pace with the advance of the age in science and experience. Instead of this, the European governments have resisted reformation, until the people, seeing no other resource, undertake it themselves by force, their only weapon, and work it out through blood, desolation and long-continued anarchy. Here it will be by large fragments breaking off, and refusing re-union but on condition of amendment, or perhaps permanently. If I can see these three great amendments prevail, I shall consider it as a renewed extension of the term of our lease, shall live in more confidence, and die in more hope. And I do trust that the republican mass, which Colonel Taylor justly says is the real federal one, is still strong enough to carry these truly federo-republican amendments. With my prayers for the issue, accept my friendly and respectful salutations.

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TO JAMES MONROE. J. MSS.

MONTO. Feb. 20. 24.

DEAR SIR,—The multiplied sollicitns to interest myself with you for applicants for office have been uniformly refused by me. In a few cases only where facts have been within my knolege, I have not been able to refuse stating them as a witness, which I have made it a point to do so drily as that you might understand that I took no particular interest in the case. In a conversn with you however at the Oakhill some two or three years ago, I mentioned to you that there would be one single case, and but one in the whole world into which I should go with my whole heart and soul, and ask as if it were for myself. It was that whenever the Post office or Collector's office at Richmd. either of them should become vacant, you would name Colo. B. Peyton to it, and preferably to the P. O. if both were to be vacant. The incumbents have for years been thought ready for their exit, and Foushee stated to be now at death's door, yet I would not ask this were there a man in the world more capable, more diligent or more honest than Peyton, one of higher worth or more general favor or to whom I would give it myself in preference to him. He is all this, and I will be responsible that his nomination will not only be a general gratificn, but I believe a more general one than any other not only to the vicinage but to the legislature & to the state for he is very generally known having been a captain in the late war and since that a Commn merch. of uncommon esteem. To me it will be a supreme gratifn for I look on him with almost the eyes of a father. I know you will be most strongly sollicited for others, and those too of unexceptionable merit and great interest. I will say boldly however for no one who will execute the office more faithfully & diligently or with more comity than Peyton.[1] Grant me this, and as I never have, so I never will again put your friendship to the trial as for myself. I inform Peyton that I have

[1] As regards this appointment, Jefferson wrote Richard Rush :

"Among the duties of your present station you will find the most painful to be that of appmt to office. To 20 applicns 19. negatives must be given, and what word in our language is so difficult to be pronounced as no? On retiremt from office myself, knowing how much I should be harrassed to sollicit for others, I came to a determination to say no at once, and to all. I could not in-

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written to you, and desire him at the moment of the occurrence to address a letter to yourself directly that no time may be lost by it's passing thro' me, for not a moment will be lost by others, and the earlier the notice to you, the sooner you may be able to preclude other importunities. I salute you with constant affection & respect.

deed refuse to say when required what I knew of an applicant, but made it a point to accompany that with no request or solliciten from myself. I departed from my rule in one case only. I asked but did not obtain. It was for Colo. B. Peyton of Richmond for whom I entertained a very sincere frdshp. He was a meritorious officer in our late war, honest, capable, active and attentive to business, kind to all, and beloved by all, with a family fast growing on his hands and nothing to provide for them but his own industry. His line was that of commns business which he still follows. Particular circumstances had interested me highly in his favor. There were two offices in Richmd either of which would have put him at ease. The one was that of P. M. the incumbent of which had recently died, and I asked it for him with the same earnestness as if for myself and on the ground of my having never before asked anything from the govmt personally. It was given to another. The other office is that of the collector of the port of Richmd. now held by Majr. Gibson, as worthy a man as could hold it, and one whom no one would ever wish to see withdrawn. But he is now advanced in years and in a very low state of health. He is at present gone to the springs to recruit if possible and I wish he may, but it is not expected. Should anything happen to him it would be a 2d chance given me of getting something done for my friend Peyton. This is within your deptmt, and to you therefore I address my request to think of him on that event, and if no moral considn gives a higher claim to any other, give it to him, if only for my sake. Notwithstdg Gibson's ill health however my own and my age gives me no right to expect to be the survivor of the two. In that case I bequeath my friend as a legacy to you. And I pray you to be assured of my best affection & respect."

He seems to have felt this refusal keenly, for he had previously written to Leiper:

"MONTO [Oct. 27, 24].

"MY GOOD FRIEND,—Since my solicitation of July 22. at your request the ground on which I stand is entirely changed, and it is become impossible for me to ask anything further from the govmt. I cannot explain this to you, and even request you not to mention the fact. I should not have said it to you, but that I cannot offer you false excuses. My frdshp for you is the same, but this method of proving it is no longer in my power. Be assured of my constant & affect[e] attmt."

See also the letter to Monroe of July 18, 1824, and to Leiper of Dec. 6, 1824.

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TO JAMES MONROE. J. MSS.

MONTICELLO Mar. 27. 24.

DEAR SIR,—I receive Mr. Livingston's question through you with kindness and answer it without hesitation. He may be assured I have not a spark of unfriendly feeling towards him. In all the earlier scenes of life we thought and acted together. We differed in opinion afterwards on a single point. Each maintained his opinion, as he had a right, and acted on it as he ought. But why brood over a single difference, and forget all our previous harmonies? Difference of opinion was never, with me, a motive of separation from a friend. In the trying times of federalism, I never left a friend. Many left me, have since returned, and been received with open arms. Mr. Livingston would now be received at Monticello with as hearty a welcome as he would have been in 1800. The case with Mr. Adams was much stronger. Fortune had disjointed our first affections, and placed us in opposition in every point. This separated us for a while. But on the first intimation thro' a friend, we re-embraced with cordiality, recalled our antient feelings and dispositions, and every thing was forgotten but our first sympathies. I bear ill-will to no human being.

Another item of your letter fills my heart with thankfulness. With the other competitor it is an imaginary want, a mere change of lounge, to fill up the vacancies of mind. Ever affectionately and respectfully yours.

TO THOMAS LEIPER. J. MSS.

MONTO. Apr. 3. 24.

I am really done, my friend, with Politics, notwithstanding the doubts you express in your favor of Mar. 16. There is a time for everything, for acting in this world, and for getting ready to leave it. The last is now come upon me. You, I hope, will hold out as long as you can, because what you do, I know will always be done for the good of our fellow-men. With respect to the European combins against the rights of man I join an honest

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Irishman of my nbhood in his 4th of July toast "the Holy alliance, to Hell the whole of them."

In the Presidential election I am entirely passive. The pretended letter of mine to which you allude is a faithless travestie of what I really wrote. That was addressed to a friend, who had sollicited my thoughts on the subject. It expressed no preference of any and in terms which could give offence to none. He incautiously read the letter to a zealous partisan, who published it from memory and with perversions of terms adapted to his own wishes. I am truly sorry to see the foolish and wicked paragraph from a Richmond paper which you inclosed me. The frdly dispositions which have so long prevailed between Pensve & Virge and which have been so salutary to republican principles and govmt, are not I hope to be ruffled by a paper recently set up, and which if conducted in the spirit of that paragraph will as certainly be soon put down. These states happen at present to differ in the object of their choice. Both favorites are republican, both will administer the govmt honestly, which with the most wisdom each state has a right to hope for itself. But such a difference, between thinking and rational men should excite no more feeling than a difference of faces; and seeing as I do, the permanence of our union hanging on the harmony of Pennsva & Virge, I hope that will continue as long as our govmt continues to be a blessing to mankind. To yourself long life, long health & prosperity.

TO EDWARD LIVINGSTON. J. MSS.

MONTICELLO, April 4, 1824.

DEAR SIR,—It was with great pleasure I learned that the good people of New Orleans had restored you again to the councils of our country. I did not doubt the aid it would bring to the remains of our old school in Congress, in which your early labors had been so useful. You will find, I suppose, on revisiting our maritime States, the names of things more changed than the things themselves; that though our old opponents have given up their appellation, they have not, in assuming ours, abandoned their views, and that they are as strong nearly as they ever were.

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These cares, however, are no longer mine. I resign myself cheerfully to the managers of the ship, and the more contentedly, as I am near the end of my voyage. I have learned to be less confident in the conclusions of human reason, and give more credit to the honesty of contrary opinions. The radical idea of the character of the constitution of our government, which I have adopted as a key in cases of doubtful construction, is, that the whole field of government is divided into two departments, domestic and foreign, (the States in their mutual relations being of the latter;) that the former department is reserved exclusively to the respective States within their own limits, and the latter assigned to a separate set of functionaries, constituting what may be called the foreign branch, which, instead of a federal basis, is established as a distinct government *quoad hoc*, acting as the domestic branch does on the citizens directly and coercively; that these departments have distinct directories, co-ordinate, and equally independent and supreme, each within its own sphere of action. Whenever a doubt arises to which of these branches a power belongs, I try it by this test. I recollect no case where a question simply between citizens of the same State, has been transferred to the foreign department, except that of inhibiting tenders but of metallic money, and *ex post facto* legislation. The causes of these singularities are well remembered.

I thank you for the copy of your speech on the question of national improvement, which I have read with great pleasure, and recognize in it those powers of reasoning and persuasion of which I had formerly seen from you so many proofs. Yet, in candor, I must say it has not removed, in my mind, all the difficulties of the question. And I should really be alarmed at a difference of opinion with you, and suspicious of my own, were it not that I have, as companions in sentiments, the Madisons, the Monroes, the Randolphs, the Macons, all good men and true, of primitive principles. In one sentiment of the speech I particularly concur. "If we have a doubt relative to any power, we ought not to exercise it." When we consider the extensive and deep-seated opposition to this assumption, the conviction entertained by so many, that this deduction of powers by elaborate construction prostrates the rights reserved to the States, the diffi-

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culties with which it will rub along in the course of its exercise; that changes of majorities will be changing the system backwards and forwards, so that no undertaking under it will be safe; that there is not a State in the Union which would not give the power willingly, by way of amendment, with some little guard, perhaps, against abuse; I cannot but think it would be the wisest course to ask an express grant of the power. A government held together by the bands of reason only, requires much compromise of opinion; that things even salutary should not be crammed down the throats of dissenting brethren, especially when they may be put into a form to be willingly swallowed, and that a great deal of indulgence is necessary to strengthen habits of harmony and fraternity. In such a case, it seems to me it would be safer and wiser to ask an express grant of the power. This would render its exercise smooth and acceptable to all, and insure to it all the facilities which the States could contribute, to prevent that kind of abuse which all will fear, because all know it is so much practised in public bodies, I mean the bartering of votes. It would reconcile every one, if limited by the proviso, that the federal proportion of each State should be expended within the State. With this single security against partiality and corrupt bargaining, I suppose there is not a State, perhaps not a man in the Union, who would not consent to add this to the powers of the general government. But age has weaned me from questions of this kind. My delight is now in the passive occupation of reading; and it is with great reluctance I permit my mind ever to encounter subjects of difficult investigation. You have many years yet to come of vigorous activity, and I confidently trust they will be employed in cherishing every measure which may foster our brotherly union, and perpetuate a constitution of government destined to be the primitive and precious model of what is to change the condition of man over the globe. With this confidence, equally strong in your powers and purposes, I pray you to accept the assurance of my cordial esteem and respect.

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TO JOHN HAMBDEN PLEASANTS. J. MSS.

MONTICELLO, April 19, 1824.

DEAR SIR,—I received in due time your favor of the 12th, requesting my opinion on the proposition to call a convention for amending the constitution of the State. That this should not be perfect cannot be a subject of wonder, when it is considered that ours was not only the first of the American States, but the first nation in the world, at least within the records of history, which peaceably by its wise men, formed on free deliberation, a constitution of government for itself, and deposited it in writing, among their archives, always ready and open to the appeal of every citizen. The other States, who successively formed constitutions for themselves also, had the benefit of our outline, and have made on it, doubtless, successive improvements. One in the very outset, and which has been adopted in every subsequent constitution, was to lay its foundation in the authority of the nation. To our convention no special authority had been delegated by the people to form a permanent constitution, over which their successors in legislation should have no powers of alteration. They had been elected for the ordinary purposes of legislation only, and at a time when the establishment of a new government had not been proposed or contemplated. Although, therefore, they gave to this act the title of a constitution, yet it could be no more than an act of legislation, subject, as their other acts were, to alteration by their successors. It has been said, indeed, that the acquiescence of the people supplied the want of original power. But it is a dangerous lesson to say to them "whenever your functionaries exercise unlawful authority over you, if you do not go into actual resistance, it will be deemed acquiescence and confirmation." How long had we acquiesced under usurpations of the British parliament? Had that confirmed them in right, and made our revolution a wrong? Besides, no authority has yet decided whether this resistance must be instantaneous; when the right to resist ceases, or whether it has yet ceased. Of the twenty-four States now organized, twenty-three have disapproved our doctrine and example, and have deemed the authority of their people a necessary foundation for a constitution.

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Another defect which has been corrected by most of the States is, that the basis of our constitution is in opposition to the principle of equal political rights, refusing to all but freeholders any participation in the natural right of self-government. It is believed, for example, that a very great majority of the militia, on whom the burthen of military duty was imposed in the late war, were men unrepresented in the legislation which imposed this burthen on them. However nature may by mental or physical disqualifications have marked infants and the weaker sex for the protection, rather than the direction of government, yet among the men who either pay or fight for their country, no line of right can be drawn. The exclusion of a majority of our freemen from the right of representation is merely arbitrary, and an usurpation of the minority over the majority; for it is believed that the non-freeholders compose the majority of our free and adult male citizens.

And even among our citizens who participate in the representative privilege, the equality of political rights is entirely prostrated by our constitution. Upon which principle of right or reason can any one justify the giving to every citizen of Warwick as much weight in the government as to twenty-two equal citizens in Loudon, and similar inequalities among the other counties? If these fundamental principles are of no importance in actual government, then no principles are important, and it is as well to rely on the dispositions of an administration, good or evil, as on the provisions of a constitution.

I shall not enter into the details of smaller defects, although others there doubtless are, the reformation of some of which might very much lessen the expenses of government, improve its organization, and add to the wisdom and purity of its administration in all its parts; but these things I leave to others, not permitting myself to take sides in the political questions of the day. I willingly acquiesce in the institutions of my country, perfect or imperfect; and think it a duty to leave their modifications to those who are to live under them, and are to participate of the good or evil they may produce. The present generation has the same right of self-government which the past one has exercised for itself. And those in the full vigor of body and mind are

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more able to judge for themselves than those who are sinking under the wane of both. If the sense of our citizens on the question of a convention can be fairly and fully taken, its result will, I am sure, be wise and salutary; and far from arrogating the office of advice, no one will more passively acquiesce in it than myself. Retiring, therefore, to the tranquillity called for by increasing years and debility, I wish not to be understood as intermeddling in this question; and to my prayers for the general good, I have only to add assurances to yourself of my great esteem.

TO RICHARD RUSH. J. MSS.

MONTO. June 5. 24.

DEAR SIR,—Taking for granted this will reach you while Mr. Gilmer is still in England, I take the liberty of putting a letter for him under the protection of your cover to ensure it's safe receipt by him. Should it however by any accident loiter on the way until he should be on his return, I will request of you to open the letter to him and to take out and have delivered to majr. Cartwright one it covers addressed to him, and which otherwise I would have wished Mr. Gilmer to deliver personally.

Congress has just risen, having done nothing remarkable except the passing a tariff bill by squeezing majorities, very revolting to a great portion of the people of the states, among whom it is believed it would not have received a vote but of the manufacturers themselves. It is considered as a levy on the labor & efforts of the other classes of industry to support that of manufactures, and I wish it may not draw on our surplus & produce retaliatory impositions from other nations. Among the candidates for the presidency you will have seen by the newspapers that Genl. Jackson's prospect was not without promise. A threatening cloud has very suddenly darkened his horizon. A letter has become public, written by him when Colo. Monroe first came into office, advising him to make up his administrn *without regard to party*. [No suspicion has been entertained of any indecision in his political principles, and this evidence of it threatens a revoln of opinion respecting him.][1] The solid

[1] Part in brackets struck out.

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republicanism of Pensylve, his principal support, is thrown into great fermentation by this apparent indifference to political principles. The thing is as yet too new to see in what it will result. A baseless and malicious attack on Mr. Crawford has produced from him so clear, so incontrovertible, and so temperate a justifcn of himself as to have added much to the strength of his interest. The question will ultimately be, as I suggested in a former letter to you, between Crawford and Adams, with this in favor of Crawford that altho' many states have a different 1st favorite, he is the second with nearly all, and that if it goes into the legislature he will surely be elected. I am very much delighted to perceive a friendly disposn growing up between the people & govmt of the country where you are and ours. No two nations on earth have so many interests pleading for a cordial frdshp, and we have never had an executive which was not anxious to have cultivated it, if it could have been done with any regard to self-respect. Accept assurances of my great esteem and respectful considn.

TO MARTIN VAN BUREN. J. MSS.

MONTICELLO, June 29, 1824.

DEAR SIR,—I have to thank you for Mr. Pickering's elaborate philippic against Mr. Adams, Gerry, Smith, and myself; and I have delayed the acknowledgment until I could read it and make some observations on it.

I could not have believed, that for so many years, and to such a period of advanced age, he could have nourished passions so vehement and viperous. It appears, that for thirty years past, he has been industriously collecting materials for vituperating the characters he had marked for his hatred; some of whom, certainly, if enmities towards him had ever existed, had forgotten them all, or buried them in the grave with themselves. As to myself, there never had been anything personal between us, nothing but the general opposition of party sentiment; and our personal intercourse had been that of urbanity, as himself says. But it seems he has been all this time brooding over an enmity which I had

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never felt, and that with respect to myself, as well as others, he has been writing far and near, and in every direction, to get hold of original letters, where he could, copies, where he could not, certificates and journals, catching at every gossiping story he could hear of in any quarter, supplying by suspicions what he could find nowhere else, and then arguing on this motley farrago, as if established on gospel evidence. And while expressing his wonder, that "at the age of eighty-eight, the strong passions of Mr. Adams should not have cooled;" that on the contrary, "they had acquired the mastery of his soul," (p. 100;) that "where these were enlisted, no reliance could be placed on his statements," (p. 104;) the facility and little truth with which he could represent facts and occurrences, concerning persons who were the objects of his hatred, (p. 3;) that "he is capable of making the grossest misrepresentations, and, from detached facts, and often from bare suspicions, of drawing unwarrantable inferences, if suited to his purpose at the instant," (p. 174;) while making such charges, I say, on Mr. Adams, instead of his "*ecce homo*," (p. 100;) how justly might we say to him, "*mutato nomine, de te fabula narratur.*" For the assiduity and industry he has employed in his benevolent researches after matter of crimination against us, I refer to his pages 13, 14, 34, 36, 46, 71, 79, 90, bis. 92, 93, bis. 101, ter. 104, 116, 118, 141, 143, 146, 150, 151, 153, 168, 171, 172. That Mr. Adams' strictures on him, written and printed, should have excited some notice on his part, was not perhaps to be wondered at. But the sufficiency of his motive for the large attack on me may be more questionable. He says, (p. 4) "of Mr. Jefferson I should have said nothing, but for his letter to Mr. Adams, of October the 12th, 1823." Now the object of that letter was to soothe the feelings of a friend, wounded by a publication which I thought an "outrage on private confidence." Not a word or allusion in it respecting Mr. Pickering, nor was it suspected that it would draw forth his pen in justification of this infidelity, which he has, however, undertaken in the course of his pamphlet, but more particularly in its conclusion.

He arraigns me on two grounds, my actions and my motives. The very actions, however, which he arraigns, have been such as the great majority of my fellow citizens have approved. The

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approbation of Mr. Pickering, and of those who thought with him, I had no right to expect. My motives he chooses to ascribe to hypocrisy, to ambition, and a passion for popularity. Of these the world must judge between us. It is no office of his or mine. To that tribunal I have ever submitted my actions and motives, without ransacking the Union for certificates, letters, journals, and gossiping tales, to justify myself and weary them. Nor shall I do this on the present occasion, but leave still to them these antiquated party diatribes, now newly revamped and paraded, as if they had not been already a thousand times repeated, refuted, and adjudged against him, by the nation itself. If no action is to be deemed virtuous for which malice can imagine a sinister motive, then there never was a virtuous action; no, not even in the life of our Saviour himself. But he has taught us to judge the tree by its fruit, and to leave motives to him who can alone see into them.

But whilst I leave to its fate the libel of Mr. Pickering, with the thousands of others like it, to which I have given no other answer than a steady course of similar action, there are two facts or fancies of his which I must set to rights. The one respects Mr. Adams, the other myself. He observes that my letter of October the 12th, 1823, acknowledges the receipt of one from Mr. Adams, of September the 18th, which, having been written a few days after Cunningham's publication, he says was no doubt written to apologize to me for the pointed reproaches he had uttered against me in his confidential letters to Cunningham. And thus having "no doubt" of his conjecture, he considers it as proven, goes on to suppose the contents of the letter, (19, 22,) makes it place Mr. Adams at my feet suing for pardon, and continues to rant upon it, as an undoubted fact. Now, I do most solemnly declare, that so far from being a letter of apology, as Mr. Pickering so undoubtedly assumes, there was not a word or allusion in it respecting Cunningham's publication.

The other allegation respecting myself, is equally false. In page 34, he quotes Doctor Stuart as having, twenty years ago, informed him that General Washington, "when he became a private citizen," called me to account for expressions in a letter to Mazzei, requiring, in a tone of unusual severity, an explanation

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of that letter. He adds of himself, "in what manner the latter humbled himself and appeased the just resentment of Washington, will never be made known, as some time after his death the correspondence was not to be found, and a diary for an important period of his presidency was also missing." The diary being of transactions during his presidency, the letter to Mazzei not known here until some time *after he became a private citizen*, and the pretended correspondence of course after that, I know not why this lost diary and supposed correspondence are brought together here, unless for insinuations worthy of the letter itself. The correspondence could not be found, indeed, because it had never existed. I do affirm that there never passed a word, written or verbal, directly or indirectly, between General Washington and myself on the subject of that letter. He would never have degraded himself so far as to take to himself the imputation in that letter on the "Samsons in combat." The whole story is a fabrication, and I defy the framers of it, and all mankind, to produce a scrip of a pen between General Washington and myself on the subject, or any other evidence more worthy of credit than the suspicions, suppositions and presumptions of the two persons here quoting and quoted for it. With Doctor Stuart I had not much acquaintance. I supposed him to be an honest man, knew him to be a very weak one, and, like Mr. Pickering, very prone to antipathies, boiling with party passions, and under the dominion of these readily welcoming fancies for facts. But come the story from whomsoever it might, it is an unqualified falsehood.

This letter to Mazzei has been a precious theme of crimination for federal malice. It was a long letter of business, in which was inserted a single paragraph only of political information as to the state of our country. In this information there was not one word which would not then have been, or would not now be approved by every republican in the United States, looking back to those times, as you will see by a faithful copy now enclosed of the whole of what that letter said on the subject of the United States, or of its government. This paragraph, extracted and translated, got into a Paris paper at a time when the persons in power there were laboring under very general disfavor, and their friends were eager to catch even at straws to buoy them

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up. To them, therefore, I have always imputed the interpolation of an entire paragraph additional to mine, which makes me charge my own country with ingratitude and injustice to France. There was not a word in my letter respecting France, or any of the proceedings or relations between this country and that. Yet this interpolated paragraph has been the burthen of federal calumny, has been constantly quoted by them, made the subject of unceasing and virulent abuse, and is still quoted, as you see, by Mr. Pickering, page 33, as if it were genuine, and really written by me. And even Judge Marshall makes history descend from its dignity, and the ermine from its sanctity, to exaggerate, to record, and to sanction this forgery. In the very last note of his book, he says, "a letter from Mr. Jefferson to Mr. Mazzei, an Italian, was published in Florence, and re-published in the Moniteur, with very severe strictures on the conduct of the United States." And instead of the letter itself, he copies what he says are the remarks of the editor, which are an exaggerated commentary on the fabricated paragraph itself, and silently leaves to his reader to make the ready inference that these were the sentiments of the letter. Proof is the duty of the affirmative side. A negative cannot be positively proved. But, in defect of impossible proof of what was not in the original letter, I have its press-copy still in my possession. It has been shown to several, and is open to any one who wishes to see it. I have presumed only, that the interpolation was done in Paris. But I never saw the letter in either its Italian or French dress, and it may have been done here, with the commentary handed down to posterity by the Judge. The genuine paragraph, re-translated through Italian and French into English, as it appeared here in a federal paper, besides the mutilated hue which these translations and re-translations of it produced generally, gave a mistranslation of a single word, which entirely perverted its meaning, and made it a pliant and fertile text of misrepresentation of my political principles. The original, speaking of an Anglican, monarchical and aristocratical party, which had sprung up since he had left us, states their object to be "to draw over us the substance, as they had already done the *forms* of the British Government." Now the "forms" here meant, were the levees, birthdays, the pompous

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cavalcade to the state house on the meeting of Congress, the formal speech from the throne, the procession of Congress in a body to re-echo the speech in an answer, &c., &c. But the translator here, by substituting *form* in the singular number, for *forms* in the plural, made it mean the frame or organization of our government, or its form of legislative, executive and judiciary authorities, coördinate and independent; to which *form* it was to be inferred that I was an enemy. In this sense they always quoted it, and in this sense Mr. Pickering still quotes it, pages 34, 35, 38, and countenances the inference. Now General Washington perfectly understood what I meant by these forms, as they were frequent subjects of conversation between us. When, on my return from Europe, I joined the government in March, 1790, at New York, I was much astonished, indeed, at the mimicry I found established of royal forms and ceremonies, and more alarmed at the unexpected phenomenon, by the monarchical sentiments I heard expressed and openly maintained in every company, and among others by the high members of the government, executive and judiciary, (General Washington alone excepted,) and by a great part of the legislature, save only some members who had been of the old Congress, and a very few of recent introduction. I took occasion, at various times, of expressing to General Washington my disappointment at these symptoms of a change of principle, and that I thought them encouraged by the forms and ceremonies which I found prevailing, not at all in character with the simplicity of republican government, and looking as if wishfully to those of European courts. His general explanations to me were, that when he arrived at New York to enter on the executive administration of the new government, he observed to those who were to assist him, that placed as he was in an office entirely new to him, unacquainted with the forms and ceremonies of other governments, still less apprized of those which might be properly established here, and himself perfectly indifferent to all forms, he wished them to consider and prescribe what they should be; and the task was assigned particularly to General Knox, a man of parade, and to Colonel Humphreys, who had resided some time at a foreign court. They, he said, were the authors of the present regulations, and that others were pro-

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posed so highly strained that he absolutely rejected them. Attentive to the difference of opinion prevailing on this subject, when the term of his second election arrived, he called the Heads of departments together, observed to them the situation in which he had been at the commencement of the government, the advice he had taken and the course he had observed in compliance with it; that a proper occasion had now arrived of revising that course, of correcting it in any particulars not approved in experience; and he desired us to consult together, agree on any changes we should think for the better, and that he should willingly conform to what we should advise. We met at my office. Hamilton and myself agreed at once that there was too much ceremony for the character of our government, and particularly, that the parade of the installation at New York ought not to be copied on the present occasion, that the President should desire the Chief Justice to attend him at his chambers, that he should administer the oath of office to him in the presence of the higher officers of the government, and that the certificate of the fact should be delivered to the Secretary of State to be recorded. Randolph and Knox differed from us, the latter vehemently; they thought it not advisable to change any of the established forms, and we authorized Randolph to report our opinions to the President. As these opinions were divided, and no positive advice given as to any change, no change was made. Thus the forms which I had censured in my letter to Mazzei were perfectly understood by General Washington, and were those which he himself but barely tolerated. He had furnished me a proper occasion for proposing their reformation, and my opinion not prevailing, he knew I could not have meant any part of the censure for him.

Mr. Pickering quotes, too, (page 34) the expression in the letter, of "the men who were Samsons in the field, and Solomons in the council, but who had had their heads shorn by the harlot England;" or, as expressed in their re-translation, "the men who were Solomons in council, and Samsons in combat, but whose hair had been cut off by the whore England." Now this expression also was perfectly understood by General Washington. He knew that I meant it for the Cincinnati generally, and

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that from what had passed between us at the commencement of that institution, I could not mean to include him. When the first meeting was called for its establishment, I was a member of the Congress then sitting at Annapolis. General Washington wrote to me, asking my opinion on that proposition, and the course, if any, which I thought Congress would observe respecting it. I wrote him frankly my own disapprobation of it; that I found the members of Congress generally in the same sentiment; that I thought they would take no express notice of it, but that in all appointments of trust, honor, or profit, they would silently pass by all candidates of that order, and give an uniform preference to others. On his way to the first meeting in Philadelphia, which I think was in the spring of 1784, he called on me at Annapolis. It was a little after candle-light, and he sat with me till after midnight, conversing, almost exclusively, on that subject. While he was feelingly indulgent to the motives which might induce the officers to promote it, he concurred with me entirely in condemning it; and when I expressed an idea that if the hereditary quality were suppressed, the institution might perhaps be indulged during the lives of the officers now living, and who had actually served; "no," he said, "not a fibre of it ought to be left, to be an eye-sore to the public, a ground of dissatisfaction, and a line of separation between them and their country;" and he left me with a determination to use all his influence for its entire suppression. On his return from the meeting he called on me again, and related to me the course the thing had taken. He said that from the beginning, he had used every endeavor to prevail on the officers to renounce the project altogether, urging the many considerations which would render it odious to their fellow citizens, and disreputable and injurious to themselves; that he had at length prevailed on most of the old officers to reject it, although with great and warm opposition from others, and especially the younger ones, among whom he named Colonel W. S. Smith as particularly intemperate. But that in this state of things, when he thought the question safe, and the meeting drawing to a close, Major L'Enfant arrived from France, with a bundle of eagles, for which he had been sent there, with letters from the French officers who had served in

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America, praying for admission into the order, and a solemn act of their king permitting them to wear its ensign. This, he said, changed the face of matters at once, produced an entire revolution of sentiment, and turned the torrent so strongly in an opposite direction that it could be no longer withstood; all he could then obtain was a suppression of the hereditary quality. He added, that it was the French applications, and respect for the approbation of the king, which saved the establishment in its modified and temporary form. Disapproving thus of the institution as much as I did, and conscious that I knew him to do so, he could never suppose that I meant to include him among the Samsons in the field, whose object was to draw over us the *form*, as they made the letter say, of the British government, and especially its aristocratic member, an hereditary house of lords. Add to this, that the letter saying "that two out of the three branches of legislature were against us," was an obvious exception of him; it being well known that the majorities in the two branches of Senate and Representatives, were the very instruments which carried, in opposition to the old and real republicans, the measures which were the subjects of condemnation in this letter. General Washington then, understanding perfectly what and whom I meant to designate, in both phrases, and that they could not have any application or view to himself, could find in neither any cause of offence to himself; and therefore neither needed, nor ever asked any explanation of them from me. Had it even been otherwise, they must know very little of General Washington, who should believe to be within the laws of his character what Doctor Stuart is said to have imputed to him. Be this, however, as it may, the story is infamously false in every article of it. My last parting with General Washington was at the inauguration of Mr. Adams, in March, 1797, and was warmly affectionate; and I never had any reason to believe any change on his part, as there certainly was none on mine. But one session of Congress intervened between that and his death, the year following, in my passage to and from which, as it happened to be not convenient to call on him, I never had another opportunity; and as to the cessation of correspondence observed during that short interval, no particular circumstance occurred for

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epistolary communication, and both of us were too much oppressed with letter-writing, to trouble, either the other, with a letter about nothing.

The truth is, that the federalists, pretending to be the exclusive friends of General Washington, have ever done what they could to sink his character, by hanging theirs on it, and by representing as the enemy of republicans him, who, of all men, is best entitled to the appellation of the father of that republic which they were endeavoring to subvert, and the republicans to maintain. They cannot deny, because the elections proclaimed the truth, that the great body of the nation approved the republican measures. General Washington was himself sincerely a friend to the republican principles of our constitution. His faith, perhaps, in its duration, might not have been as confident as mine; but he repeatedly declared to me, that he was determined it should have a fair chance for success, and that he would lose the last drop of his blood in its support, against any attempt which might be made to change it from its republican form. He made these declarations the oftener, because he knew my suspicions that Hamilton had other views, and he wished to quiet my jealousies on this subject. For Hamilton frankly avowed, that he considered the British constitution, with all the corruptions of its administration, as the most perfect model of government which had ever been devised by the wit of man; professing however, at the same time, that the spirit of this country was so fundamentally republican, that it would be visionary to think of introducing monarchy here, and that, therefore, it was the duty of its administrators to conduct it on the principles their constituents had elected.

General Washington, after the retirement of his first cabinet, and the composition of his second, entirely federal, and at the head of which was Mr. Pickering himself, had no opportunity of hearing both sides of any question. His measures, consequently, took more the hue of the party in whose hands he was. These measures were certainly not approved by the republicans; yet were they not imputed to him, but to the counsellors around him; and his prudence so far restrained their impassioned course and bias, that no act of strong mark, during the remainder of

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his administration, excited much dissatisfaction. He lived too short a time after, and too much withdrawn from information, to correct the views into which he had been deluded; and the continued assiduities of the party drew him into the vortex of their intemperate career; separated him still farther from his real friends, and excited him to actions and expressions of dissatisfaction, which grieved them, but could not loosen their affections from him. They would not suffer the temporary aberration to weigh against the immeasurable merits of his life; and although they tumbled his seducers from their places, they preserved his memory embalmed in their hearts, with undiminished love and devotion; and there it forever will remain embalmed, in entire oblivion of every temporary thing which might cloud the glories of his splendid life. It is vain, then, for Mr. Pickering and his friends to endeavor to falsify his character, by representing him as an enemy to republicans and republican principles, and as exclusively the friend of those who were so; and had he lived longer, he would have returned to his ancient and unbiased opinions, would have replaced his confidence in those whom the people approved and supported, and would have seen that they were only restoring and acting on the principles of his own first administration.

I find, my dear Sir, that I have written you a very long letter, or rather a history. The civility of having sent me a copy of Mr. Pickering's diatribe, would scarcely justify its address to you. I do not publish these things, because my rule of life has been never to harass the public with fendings and provings of personal slanders; and least of all would I descend into the arena of slander with such a champion as Mr. Pickering. I have ever trusted to the justice and consideration of my fellow citizens, and have no reason to repent it, or to change my course. At this time of life too, tranquillity is the *summum bonum*. But although I decline all newspaper controversy, yet when falsehoods have been advanced, within the knowledge of no one so much as myself, I have sometimes deposited a contradiction in the hands of a friend, which, if worth preservation, may, when I am no more, nor those whom I might offend, throw light on history, and recall that into the path of truth. And if of no

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other value, the present communication may amuse you with anecdotes not known to every one.

I had meant to have added some views on the amalgamation of parties, to which your favor of the 8th has some allusion ; an amalgamation of name, but not of principle. Tories are tories still, by whatever name they may be called. But my letter is already too unmercifully long, and I close it here with assurances of my great esteem and respectful consideration.

TO JAMES MONROE. J. MSS.

MONTICELLO July 18. 24.

DEAR SIR,—I have duly recd. your favor of the 12th inst. and concur in every sentimt you express on the subject of mine of the 2d. They were exactly what I should have said to you myself had our places been changed. My lre was meant only to convey the wishes of the party, and in few cases where circumstances have obliged me to communicate sollicitns have I ever suffered my own wishes to mingle with theirs. That of Peyton I except, which yet I would not have urged were it possible for you to appoint a better man, or one more solidly in the public esteem. In the case which was the subject of my lre of the 2d. the abilities are sfft. the temper & prudence questionable, and the standing in public opn defective. Yet this latter circumstance is always important, because it is not wisdom alone, but public confidce in that wisdom which can support an admn. Something however, less marked may occur to give him decent and comfortable maintenance.

I am sorry to hear that England is equivocal. My reliance was on the great interest she had in the indepdce of the Spanish colonies, and my belief that she might be trusted in followg whatever clue would lead to her interest. The Spanish agents will doubtless think it reasonable that we make our commitmt depend entirely on the concurrence of Engld. With that we are safe ; without it we cannot protect them and they cannot reasonably expect us to sink ourselves uselessly & even injuriously for them by a Quixotic encounter of the whole world in arms. Were it

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Spain alone I should have no fear. But Russia is said to have 70. ships of the line. France approaching that number and what should we be in fronting such a force. It is not for the interest of Spanish America that our republic should be blotted out of the map, and to the rest of the world it would be an act of treason. I see both reason and justifcn in hanging our answers to them on the coopern of England & directing all their importunities to that govmt. We feel strongly for them, but our first care must be ourselves. I am sorry for the doubtfulness of your visit to our nbhood, and still more so for the ground of it. With my prayers that the last may be favorably relieved, accept the assurance of my affecte frdshp & great respect.

TO HENRY LEE. J. MSS.

MONTO. Aug. 10. 24.

SIR,—I have duly received your favor of the 14th and with it the prospectus of a newspaper which it covered. If the style and spirit of that should be maintained in the paper itself it will be truly worthy of the public patronage. As to myself it is many years since I have ceased to read but a single paper. I am no longer therefore a general subscriber for any other. Yet to encourage the hopeful in the outset I have sometimes subscribed for the 1st year on the condition of being discontinued at the end of it, without further warning. I do the same now with pleasure for yours, and unwilling to have outstanding accounts which I am liable to forget, I now inclose the price of the tri-weekly paper. I am no believer in the amalgamation of parties, nor do I consider it as either desirable or useful for the public; but only that, like religious differences, a difference in politics should never be permitted to enter into social intercourse, or to disturb it's friendships, its charities or justice. In that form they are censors of the conduct of each other, and useful watchmen for the public. Men by their constitutions are naturally divided into two parties. 1. Those who fear and distrust the people, and wish to draw all powers from them into the hands of the higher classes. 2ndly those who identify themselves with the people, have confidence

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in them, cherish and consider them as the most honest & safe, altho' not the most wise depository of the public interests. In every country these two parties exist, and in every one where they are free to think, speak, and write, they will declare themselves. Call them therefore liberals and serviles, Jacobins and Ultras, whigs and tories, republicans and federalists, aristocrats and democrats or by whatever name you please, they are the same parties still and pursue the same object. The last appellation of aristocrats and democrats is the true one expressing the essence of all. A paper which shall be governed by the spirit of Mr. Madison's celebrated report, of which you express in your prospectus so just and high an approbation, cannot be false to the rights of all classes. The grandfathers of the present generation of your family I knew well. They were friends and fellow-laborers with me in the same cause and principle. Their descendants cannot follow better guides. Accept the assurance of my best wishes & respectful consideration.

TO THE MARQUIS DE LA FAYETTE. J. MSS.

MONTICELLO Sep. 3. 24

The mail my dear Friend, succeeding that which brought us the welcome news of your arrival on our shores, brought that of your being to proceed immediately to the North. I delayed therefore till you should turn Southwdly to meet you with my sincere congratulns on your safe passage, and restoration to those who love you more than any people on earth. Indeed I fear they will kill you with their kindness, so fatiguing and exhausting must be the ceremonies they force upon you. Be on your guard, against this, my dear Sir, and do not lose in the enthusiastic embraces of affection a life they are meant to cherish. I see you are to visit our Yorktown on the 19th of Oct. My spirit will be there, my body cannot. I am too much enfeebled by age for such a journey. I cannot walk further than my garden, with infirmities too which can only be nursed at home. I imagine you will be forced to visit Chas. T. and Savanna, for where is it they will not wish and ask your company if they can get it. Our little vil-

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lage of Charlottesville insists also on receiving you. They would have claimed you as their guest, were it possible I could have seen you the guest of any other than myself in the vicinage of Monto. I have reduced them therefore to the honor of your accepting from them a dinner, and that, thro' me, they beseech you to come & accept. I suppose in fact that either going to or returning from the South, the line by Monto. & Montpellier will be little out of your way. Come then, my dear friend, suit the time to yourself, make your headquarters here from whence the ride to Charlottesville & it's appendage our university will not be of an hour. Let me once more have the happiness of talking over with you your first labors here, those I witnessed in your own country, it's past & present afflictions and future hopes. God bless and preserve you, and give me once more to see and embrace you.

TO SAMUEL KERCHIVAL. J. MSS.

MONTO. Sep. 5. 24.

SIR,—I have duly received your favor of the 25th ult. requesting permission to publish my letters of July 12. and Sep. 5. 1816. But to this I cannot consent. They were committed to your honor and confidence under express injunxtions against their publication, and I am happy to learn that that confidence has not been misplaced. The reasons too, then opposed to it, have gained greater strength by increase of age and of aversion to be committed to political altercation and obloquy. Nor do I believe their publicn would have any weight. Our fellow citizens think too independantly for themselves to yield their opinions to any one. Another strong reason against it at present is the alarm which has been excited, and with great effect, lest too much innovation should be attempted. These letters would do harm by increasing that alarm. At a particular and pressing request I did venture in a letter to Mr. Pleasants some strictures on certain defects in our constitution, with permission to publish them. So far then my opinions are known. When the legislature shall be assembled, and the question approaching of calling a convention, I should have no objection to a discreet communication of these letters to thinking and friendly members, who would not hang me

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up as a scare-crow and enemy to a constitution on which many believe the good and happiness of their country depend. I believe on the contrary that they depend on amending that constn from time to time and keeping it always in harmony with the advance of habits and principles. But I respect their right of free opinion too much to urge an uneasy pressure on them. Time and advancing science will ripen us all in it's course, and reconcile all to wholesome and necessary changes. I salute you with respectful consideration.

TO THE MARQUIS DE LA FAYETTE. J. MSS.

MONTICELLO, October 9, 1824.

I have duly received, my dear friend and General, your letter of the 1st from Philadelphia, giving us the welcome assurance that you will visit the neighborhood which, during the march of our enemy near it, was covered by your shield from his robberies and ravages. In passing the line of your former march you will experience pleasing recollections of the good you have done. My neighbors, too, of our academical village, who well remember their obligations to you, have expressed to you, in a letter from a committee appointed for that purpose, their hope that you will accept manifestations of their feelings, simple indeed, but as cordial as any you will have received. It will be an additional honor to the University of the State that you will have been its first guest. Gratify them, then, by this assurance to their committee, if it has not been done. But what recollections, dear friend, will this call up to you and me! What a history have we to run over from the evening that yourself, Meusnier, Bernau, and other patriots settled, in my house in Paris, the outlines of the con-

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stitution you wished! And to trace it through all the disastrous chapters of Robespierre, Barras, Bonaparte, and the Bourbons! These things, however, are for our meeting. You mention the return of Miss Wright to America, accompanied by her sister; but do not say what her stay is to be, nor what her course. Should it lead her to a visit of our University, which, in its architecture only, is as yet an object, herself and her companion will nowhere find a welcome more hearty than with Mrs. Randolph, and all the inhabitants of Monticello. This Athenæum of our country, in embryo, is as yet but promise; and not in a state to recall the recollections of Athens. But everything has its beginning, its growth, and end; and who knows with what future delicious morsels of philosophy, and by what future Miss Wright raked from its ruins, the world may, some day, be gratified and instructed? Your son George we shall be very happy indeed to see, and to renew in him the recollections of your very dear family; and the revolutionary merit of M. le Vasseur has that passport to the esteem of every American, and, to me, the additional one of having been your friend and co-operator, and he will, I hope, join you in making head-quarters with us at Monticello. But all these things *à revoir;* in the meantime we are impatient that your ceremonies at York should be over, and give you to the embraces of friendship.

P. S. Will you come by Mr. Madison's, or let him or me know on what day he may meet you here, and join us in our greetings?

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TO RICHARD RUSH. J. MSS.

MONTICELLO, October 13, 1824.

DEAR SIR,—I must again beg the protection of your cover for a letter to Mr. Gilmer; although a little doubtful whether he may not have left you.

You will have seen by our papers the delirium into which our citizens are thrown by a visit from General La Fayette. He is making a triumphant progress through the States, from town to town, with acclamations of welcome, such as no crowned head ever received. It will have a good effect in favor of the General with the people in Europe, but probably a different one with their sovereigns. Its effect here, too, will be salutary as to ourselves, by rallying us together and strengthening the habit of considering our country as one and indivisible, and I hope we shall close it with something more solid for him than dinners and balls. The eclat of this visit has almost merged the Presidential question, on which nothing scarcely is said in our papers. That question will lie ultimately between Crawford and Adams; but, at the same time, the vote of the people will be so distracted by subordinate candidates, that possibly they may make no election, and let it go to the House of Representatives. There, it is thought, Crawford's chance is best. We have nothing else interesting before the public. Of the two questions of the tariff and public improvements, the former, perhaps, is not yet at rest, and the latter will excite boisterous discussions. It happens that both these measures fall in with the western interests, and it is their secession from the agricultural States which gives such strength to the manufacturing and consolidating parties, on these two questions. The latter is the most dreaded, because thought to amount to a determination in the federal government to assume all powers non-enumerated as well as enumerated in the constitution, and by giving a loose to construction, make the text say whatever will relieve them from the bridle of the States. These are difficulties for your day; I shall give them the slip. Accept the assurance of my friendly attachment and great respect.

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TO JOSEPH COOLIDGE.[1]

MONTICELLO, October 24, '24.

DEAR SIR,—I should not have delayed a single day the answer to your interesting and acceptable letter of the 13th inst. but that it found me suffering severely from an imposthume formed under the jaw, and closing it so effectually as to render the introduction of sustenance into the mouth impossible but in a fluid form, and that, latterly, sucked thro' a tube. After 2 or 3 weeks of sufferance, and a total prostration of strength, I have been relieved by a discharge of the matter, and am now on the recovery; and I avail myself of the first moment of my ability to take up a pen to assure you that nothing could be more welcome to me than the visit proposed, or it's object. During the stay you were so kind as to make with us, my opportunities were abundant of seeing and estimating the merit of your character; insomuch as to need no further enquiry from others. Nor did the family leave me uninformed of the attachment which seemed to be forming towards my grandaur. Ellen. I learnt it with pleasure; because I believed of yours, and knew of her extraordinary moral qualifications, I was satisfied no two minds could be formed, better compounded to make each other happy. I hold the same sentiment now that I receive the information from yourself, and assure you that no union could give to me greater satisfaction, if your wishes prove mutual, and *your* friends consenting. What provision for a competent subsistence for you, might exist or be practicable, was a consideration for both parties. I knew that the circumstances of her father, Governor Randolph, offered little prospect from *his* resources, prostrated as they have been by too much facility in engagements for others. Some suffering of the same kind myself, and of sensible amount, with debts of my own, remove to a distance anything I could do, and certainly should do, for you. My property is such that after a discharge of these incumbrances, a comfortable provision will remain for my unprovided grandchildren. This state of things on our part leaves us nothing to propose for the present but to submit the course to be pursued entirely to your own discretion, and the will of your friends, under the general assurance that whenever circumstances enable me

[1] From a copy in the possession of A. C. Coolidge, Esq., of Cambridge.

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to do any thing, it will be directed by justice to the other members of my family, a special affection to this particularly valued granddaughter, and a cordial attachment to yourself. Your visit to Monticello and at the time of your own convenience will be truly welcome, and your stay whatever may suit yourself, under any views of friendship or connection. My gratification will be measured by the time of it's continuance.

I ought sooner to have thanked you for the valuable work of Milisia, on Architecture: searching, as he does, for the resources and prototypes of our ideas of beauty in that fine art, he appears to have elicited them with more correctness than any other I have read: and his work, as a text book, furnishes excellent matter for a course of lectures on the subject, which I shall hope to have introduced into our institution. The letters of Mr. Gilmer are encouraging as to the time and style of opening it.

I expect in the course of the 1st. or 2d week of the approaching month to receive here the visit of my antient friend Genl La Fayette. The delirium which his visit has excited in the North invelopes him in the South also. The humble village of Charlottesville, or rather the county of Albemarle, of which it is the seat of justice, will exhibit it's great affection, and unpretending means, in a dinner to be given the General in the buildings of the University, to which they have given accepted invitations to Mr. Madison also and myself as guests, and at which your presence, as my guest would give high pleasure to us all, and to none, I assure you, more cordially than to your sincerely attached friend.

TO CHARLES JARED INGERSOLL.[1]

MONTICELLO Oct 27. 24

DEAR SIR,—Your letter of the 21st found me in a commencement of convalescence after a severe illness of some weeks. I have given however to the pamphlet which accompanied it the best attention which my condition has permitted. The facts it has collected are valuable, encouraging to the American mind,

[1] From a copy courteously furnished by Mr. W. M. Meigs of Philadelphia.

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and so far as they respect ourselves could give umbrage to none. But if a contrast with other nations were necessary or useful, it would have been more flattering had it come from a foreign hand. After the severe chastisement given by Mr. Walsh in his American Register, to English scribblers, which they well deserved and I was delighted to see, I hoped there would be an end of this inter-crimination, and that both parties would prefer the course of courtesy and conciliation, and I think their considerate writers have since shewn that disposition, and that it would prevail if equally cultivated by us. Europe is doing us full justice; why then detract from her. It is true that the pamphlet, in winding up, disavows this intention, but in opposition to the fact of repeated sets made at England, and too frequent assumptions of superiority. It is true we have advantages, and great advantages over her in some of our institutions, and in some important conditions of our existence. But in so many as are assumed will be believed by ourselves only, and not by all among ourselves. It cannot be denied that we are a boasting nation. I repeat however that the work is highly consolatory to us, and that, with the indulgence of this single criticism, it merits all praise in its matter, style and composition. Mr. Short and Mr. Harris have truly informed you that I suffer to excess by an oppressive correspondence. The decays of age have so reduced the powers of life with me, that a greater affliction can scarcely be imposed on me than that of writing a letter. I feel indeed that I must withdraw from the labors of this duty, even if it loses me all my friends. My affections for them undergo no diminution, but the laws of the animal economy take from me this means of manifesting it. Be pleased to accept the assurance of my high respect and esteem.

TO THOMAS LEIPER. J. MSS.

MONTICELLO Dec. 6. 24.

Be assured, dear Sir, that the reasons which put it out of my power to interfere in behalf of Mr. Taylor were such as yourself would pronounce insuperable had it been proper for me to have mentioned them. We shall be happy to receive your son &

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Daughter here whenever they will favor us with their visit. Richmond was not well chosen, as the place to shake off a fever & ague in the months of Aug. Sep. & Oct. till frost. All it's inhabitants who can afford it leave it for the upper country during that season. If Miss Julia, instead of accompanying her brother to Lynchbg will stay with us till his return I should have strong confidence in his finding that she will have missed her fit. There never was an instance of fever & ague originating here, nor did I ever know our friends who have brot it from below, pass the 4th fit. Should the inveteracy of her case bid defiance to our air for awhile, she had still better stay with us till that of Richmd. becomes safe by frost and numerous fires, these as well as frost being correctives of the atmosphere. We have two stages a week going to Richmd. which will give her a passage to that place when ever she shall think herself well enough to venture to it; and in the meantime we shall be happy in having her as one of our family and in administering to her every care & comfort in our power. No one of your family must ever suppose themselves not at home when with me; and indeed I think it would be but fatherly to accompany your son yourself and give him the benefit of your lessons when visiting our warehouses. To me this addition to the visit would be most welcome and add to the pleasure with which I assure you of my constant frdshp & respect.

TO JAMES MONROE. J. MSS.

MONTICELLO Dec. 15. 24.

DEAR SIR,—I have examined my letter of Jan. 13. 1803. as well as the indistinct copy given by the copying press permits. In some parts it is illegible. The publication of the whole of the 1st paragraph would merit very serious considn as respects myself. Written when party passions and contests were at their greatest height, and expressing freely to you, with whom I had no reserve, my opinion of the views of the other party, which were all but treasonable, they would kindle embers long seeming to be extinguished. And altho' at that time the views stated were known to be true, and not doubted at this moment, yet promul-

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gated now, they would seem very harsh, and renew personal enmities and hatreds which time seems to have quieted. Yet I am perfectly willing that such parts as would be useful to you, without committing me to new persecutions should be made publick. With this view I have revised the paragraph, suppressed passages which would be offensive, modified here and there an expression, and now inclose you the form in which I should consent to it's publcn. Your letter by Mr. Ticknor & Mr. Webster has been duly recd. With the former I had had acquaintance and correspondence of long standing; and I am much gratified by the acquaintance made with the latter.[1] He is likely to become of great weight in our govmt.

[1] In the *Private Correspondence of Daniel Webster* (i., 364) is "a memorandum" by Webster descriptive of this visit, with a picture of Jefferson's daily life and personal appearance. Following this are "anecdotes from Mr. Jefferson's conversation," which are here appended:

"Patrick Henry was originally a bar-keeper. He was married very young, and going into some business, on his own account, was a bankrupt before the year was out. When I was about the age of fifteen, I left the school here, to go to the college at Williamsburgh. I stopped a few days at a friend's in the county of Louisa. There I first saw and became acquainted with Patrick Henry. Having spent the Christmas holidays there, I proceeded to Williamsburgh. Some question arose about my admission, as my preparatory studies had not been pursued at the school connected with that institution. This delayed my admission about a fortnight, at which time Henry appeared in Williamsburgh, and applied for a license to practise law, having commenced the study of it at or subsequently to the time of my meeting him in Louisa. There were four examiners, Wythe, Pendleton, Peyton Randolph, and John Randolph; Wythe and Pendleton at once rejected his application. The two Randolphs, by his importunity, were prevailed upon to sign the license; and having obtained their signatures, he applied again to Pendleton, and after much entreaty and many promises of future study, succeeded in obtaining his. He then turned out for a practising lawyer. The first case which brought him into notice, was a contested election, in which he appeared as counsel before a committee of the House of Burgesses. His second was the Parsons cause, already well known. These and similar efforts soon obtained for him so much reputation, that he was elected a member of the legislature. He was as well suited to the times as any man ever was, and it is not now easy to say what we should have done without Patrick Henry. He was far before all in maintaining the spirit of the Revolution. His influence was most extensive with the members from the upper counties, and his boldness and their votes overawed and controlled the more cool or the more timid aristocratic gentlemen of the lower part of the

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TO WILLIAM SHORT. J. MSS.

MONTICELLO, January 8, 1825.

DEAR SIR,—I returned the first volume of Hall by a mail of a week ago, and by this, shall return the second. We have kept them long, but every member of the family wished to read his book, in which case, you know, it had a long gauntlet to run. It is impossible to read thoroughly such writings as those of Harper and Otis, who take a page to say what requires but a

State. His eloquence was peculiar, if indeed it should be called eloquence; for it was impressive and sublime, beyond what can be imagined. Although it was difficult when he had spoken to tell what he had said, yet, while he was speaking, it always seemed directly to the point. When he had spoken in opposition to my opinion, had produced a great effect, and I myself been highly delighted and moved, I have asked myself when he ceased: 'What the d—l has he said?' I could never answer the inquiry. His person was of full size, and his manner and voice free and manly. His utterance neither very fast nor very slow. His speeches generally short, from a quarter to a half an hour. His pronunciation was vulgar and vicious, but it was forgotten while he was speaking.

"He was a man of very little knowledge of any sort; he read nothing, and had no books. Returning one November from Albemarle court, he borrowed of me Hume's Essays, in two volumes, saying he should have leisure in the winter for reading. In the spring he returned them, and declared he had not been able to go further than twenty or thirty pages in the first volume. He wrote almost nothing—he could not write. The resolutions of '75, which have been ascribed to him, have by many been supposed to have been written by Mr. Johnson, who acted as his second on that occasion; but if they were written by Henry himself, they are not such as to prove any power of composition. Neither in politics nor in his profession was he a man of business; he was a man for debate only. His biographer says that he read Plutarch every year. I doubt whether he ever read a volume of it in his life. His temper was excellent, and he generally observed decorum in debate. On one or two occasions I have seen him angry, and his anger was terrible; those who witnessed it, were not disposed to rouse it again. In his opinions he was yielding and practicable and not disposed to differ from his friends. In private conversation, he was agreeable and facetious, and, while in genteel society, appeared to understand all the decencies and proprieties of it; but, in his heart, he preferred low society, and sought it as often as possible. He would hunt in the pine woods of Fluvannah, with overseers, and people of that description, living in a camp for a fortnight at a time without a change of raiment. I have often been astonished at his command of proper language; how he attained the knowledge of it, I never could find out, as he read so little and conversed little with educated

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sentence, or rather, who give you whole pages of what is nothing to the purpose. A cursory race over the ground is as much as they can claim. It is easy for them, at this day, to endeavor to whitewash their party, when the greater part are dead of those who witnessed what passed, others old and become indifferent to the subject, and others indisposed to take the trouble of answering them. As to Otis, his attempt is to prove that the sun does not shine at mid-day; that that is not a fact which every

men. After all, it must be allowed that he was our leader in the measures of the Revolution, in Virginia. In that respect more was due to him than any other person. If we had not had him we should probably have got on pretty well, as you did, by a number of men of nearly equal talents, but he left us all far behind. His biographer sent the sheets of his work to me as they were printed, and at the end asked for my opinion. I told him it would be a question hereafter, whether his work should be placed on the shelf of history or of panegyric. It is a poor book written in bad taste, and gives so imperfect an idea of Patrick Henry, that it seems intended to show off the writer more than the subject of the work.

"Throughout the whole Revolution, Virginia and the four New England States acted together; indeed, they made the Revolution. Their five votes were always to be counted on; but they had to pick up the remaining two for a majority, when and where they could.

"About the time of the Boston Port Bill, the patriotic feeling in Virginia had become languid and worn out, from some cause or other. It was thought by some of us to be absolutely necessary to excite the people; but we hardly knew the right means. At length it occurred to us to make grave faces and propose a fast. Some of us, who were the younger members of the assembly, resolved upon the measure. We thought Oliver Cromwell would be a good guide in such a case. So we looked into Rushworth, and drew up our resolutions after the most pious and praiseworthy examples. It would hardly have been in character for us to present them ourselves. We applied therefore to Mr. Nicholas, a grave and religious man; he proposed them in a set and solemn speech; some of us gravely seconded him, and the resolutions were passed unanimously. If any debate had occurred, or if they had been postponed for consideration, there was no chance that they would have been passed. The next morning Lord Bottetourt, the governor, summoned the assembly to his presence, and said to them: 'I have heard of your proceedings of yesterday, and augur ill of their effects. His Majesty's interest requires that you be dissolved, and you are dissolved.' Another election taking place soon afterwards, such was the spirit of the times, that every member of the assembly, without an individual exception, was re-elected.

"Our fast produced very considerable effect. We all agreed to go home and

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one saw. He merits no notice. It is well known that Harper had little scruple about facts where detection was not obvious. By placing in false lights whatever admits it, and passing over in silence what does not, a plausible aspect may be presented of anything. He takes great pains to prove, for instance, that Hamilton was no monarchist, by exaggerating his own intimacy with him, and the impossibility, if he was so, that he should not, at some time, have betrayed it to him. This may pass with unin-

see that preachers were provided in our counties, and notice given to our people. I came home to my own county, provided a preacher, and notified the people, who came together in great multitudes, wondering what it meant.

"Lord Bottetourt was an honorable man. His government had authorized him to make certain assurances to the people here, which he made accordingly. He wrote to the minister that he had made these assurances, and that, unless he should be enabled to fulfil them, he must retire from his situation. This letter he sent unsealed to Peyton Randolph for his inspection. Lord Bottetourt's great respectability, his character for integrity, and his general popularity, would have enabled him to embarrass the measures of the patriots exceedingly. His death was, therefore, a fortunate event for the cause of the Revolution. He was the first governor in chief that had ever come over to Virginia. Before his time, we had received only deputies, the governor residing in England, with a salary of five thousand pounds, and paying his deputy one thousand pounds.

"When Congress met, Patrick Henry and Richard Henry Lee opened the subject with great ability and eloquence. So much so, that Paca and Chase, delegates from Maryland, said to each other as they returned from the House: 'We shall not be wanted here; those gentlemen from Virginia will be able to do everything without us.' But neither Henry nor Lee were men of business, and having made strong and eloquent general speeches, they had done all they could.

"It was thought advisable that two papers should be drawn up, one, an address to the people of England, and the other, an address, I think, to the king. Committees were raised for these purposes, and Henry was at the head of the first, and Lee of the second.

"When the address to the people of England was reported, Congress heard it with utter amazement. It was miserably written and good for nothing. At length Governor Livingston, of New Jersey, ventured to break silence. After complimenting the author, he said he thought some other ideas might be usefully added to his draft of the address. Some such paper had been for a considerable time contemplated, and he believed a friend of his had tried his hand in the composition of one. He thought if the subject were again committed, some improvement in the present draft might be made. It was accordingly recommitted, and the address which had been alluded to by Governor Livingston,

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formed readers, but not with those who have had it from Hamilton's own mouth. I am one of those, and but one of many. At my own table, in presence of Mr. Adams, Knox, Randolph, and myself, in a dispute between Mr. Adams and himself, he avowed his preference of monarchy over every other government, and his opinion that the English was the most perfect model of government ever devised by the wit of man, Mr. Adams agreeing "if its corruptions were done away." While Hamilton insisted that

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and which was written by John Jay, was reported by the committee, and adopted as it now appears.

"It is, in my opinion, one of the very best state papers which the Revolution produced.

"Richard Henry Lee moved the Declaration of Independence, in pursuance of the resolutions of the assembly of Virginia, and only because he was the oldest member of the Virginia delegation.

"The Declaration of Independence was written in a house on the north side of Chestnut street, Philadelphia, between third and fourth, not a corner house. Heiskell's tavern, which has been pointed out as the house, is not the true one.

"For depth of purpose, zeal, and sagacity, no man in Congress exceeded, if any equalled Sam. Adams; and none did more than he to originate and sustain revolutionary measures in Congress. But he could not speak; he had a hesitating, grunting manner.

"John Adams was our Colossus on the floor. He was not graceful, nor elegant, nor remarkably fluent; but he came out, occasionally, with a power of thought and expression that moved us from our seats.

"I feel much alarmed at the prospect of seeing General Jackson President. He is one of the most unfit men I know of for such a place. He has had very little respect for laws or constitutions, and is, in fact, an able military chief. His passions are terrible. When I was President of the Senate he was a Senator; and he could never speak on account of the rashness of his feelings. I have seen him attempt it repeatedly, and as often choke with rage. His passions are no doubt cooler now; he has been much tried since I knew him, but he is a dangerous man.

"When I was in France, the Marquis de Chasteleux carried me over to Buffon's residence in the country, and introduced me to him.

"It was Buffon's practice to remain in his study till dinner time, and receive no visitors under any pretence; but his house was open and his grounds, and a servant showed them very civilly, and invited all strangers and friends to remain to dine. We saw Buffon in the garden, but carefully avoided him; but we dined with him, and he proved himself then, as he always did, a man of ex-

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"with these corruptions it was perfect, and without them it would be an impracticable government." Can any one read Mr. Adams' defence of the American constitutions without seeing that he was a monarchist? And J. Q. Adams, the son, was more explicit than the father, in his answer to Paine's rights of man. So much for leaders. Their followers were divided. Some went the same lengths, others, and I believe the greater part, only wished a stronger Executive. When I arrived at New York in

traordinary powers in conversation. He did not declaim; he was singularly agreeable.

"I was introduced to him as Mr. Jefferson, who, in some notes on Virginia, had combated some of his opinions. Instead of entering into an argument, he took down his last work, presented it to me, and said, 'When Mr. Jefferson shall have read this, he will be perfectly satisfied that I am right.'

"Being about to embark from Philadelphia for France, I observed an uncommonly large panther skin at the door of a hatter's shop. I bought it for half a Jo (sixteen dollars) on the spot, determining to carry it to France to convince Monsieur Buffon of his mistake in relation to this animal; which he had confounded with the cougar. He acknowledged his mistake, and said he would correct it in his next volume.

"I attempted also to convince him of his error in relation to the common deer and the moose of America; he having confounded our deer with the red deer of Europe, and our moose with the reindeer. I told him that our deer had horns two feet long; he replied with warmth, that if I could produce a single specimen, with horns one foot long, he would give up the question. Upon this I wrote to Virginia for the horns of one of our deer, and obtained a very good specimen, four feet long. I told him also that the reindeer could walk under the belly of our moose; but he entirely scouted the idea. Whereupon I wrote to General Sullivan of New Hampshire. I desired him to send me the bones, skin, and antlers of our moose, supposing they could easily be procured by him. Six months afterwards my agent in England advised me that General Sullivan had drawn on him for forty guineas. I had forgotten my request, and wondered why such a draft had been made, but I paid it at once. A little later came a letter from General Sullivan, setting forth the manner in which he had complied with my request. He had been obliged to raise a company of nearly twenty men, had made an excursion towards the White Hills, camping out many nights, and had at last, after many difficulties, caught my moose, boiled his bones in the desert, stuffed his skin, and remitted him to me. This accounted for my debt and convinced Mr. Buffon. He promised in his next volume to set these things right also, but he died directly afterwards.

"Madame Houdetot's society was one of the most agreeable in Paris when I was there. She inherited the materials of which it was composed from Madame

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1790, to take a part in the administration, being fresh from the French revolution, while in its first and pure stage, and consequently somewhat whetted up in my own republican principles, I found a state of things, in the general society of the place, which I could not have supposed possible. Being a stranger there, I was feasted from table to table, at large set dinners, the parties generally from twenty to thirty. The revolution I had left, and that we had just gone through in the recent change of our own government, being the common topics of conversation, I was astonished to find the general prevalence of monarchical sentiments, insomuch that in maintaining those of republicanism, I had always the whole company on my hands, never scarcely finding among them a single co-advocate in that argument, unless some old member of Congress happened to be present. The

de Terrier and Madame Geoffrin. St. Lambert was always there, and it was generally believed that every evening on his return home, he wrote down the substance of the conversations he had held there with D'Alembert, Diderot, and the other distinguished persons who frequented her house. From these conversations he made his books.

"I knew the Baron de Grignon very well; he was quite ugly, and one of his legs was shorter than the other; but he was the most agreeable person in French society, and his opinion was always considered decisive in matters relating to the theatre and painting. His persiflage was the keenest and most provoking I ever knew.

"Madame Necker was a very sincere and excellent woman, but she was not very pleasant in conversation, for she was subject to what in Virginia we call the 'Budge,' that is, she was very nervous and fidgety. She could rarely remain long in the same place, or converse long on the same subject. I have known her get up from table five or six times in the course of the dinner, and walk up and down her saloon to compose herself.

"Marmontel was a very amusing man. He dined with me every Thursday for a long time, and I think told some of the most agreeable stories I ever heard in my life. After his death, I found almost all of them in his memoirs, and I dare say he told them so well because he had written them before in his book.

"I wish Mr. Pickering would make a radical lexicon. It would do more than anything else in the present state of the matter, to promote the study of Greek among us. Jones's Greek lexicon is very poor. I have been much disappointed in it. The best I have ever used is the Greek and French one by Planche."

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furthest that any one would go, in support of the republican features of our new government, would be to say, "the present constitution is well as a beginning, and may be allowed a fair trial; but it is, in fact, only a stepping stone to something better." Among their writers, Denny, the editor of the Portfolio, who was a kind of oracle with them, and styled the Addison of America, openly avowed his preference of monarchy over all other forms of government, prided himself on the avowal, and maintained it by argument freely and without reserve, in his publications. I do not, myself, know that the Essex junto of Boston were monarchists, but I have always heard it so said, and never doubted.

These, my dear Sir, are but detached items from a great mass of proofs then fully before the public. They are unknown to you, because you were absent in Europe, and they are now disavowed by the party. But, had it not been for the firm and determined stand then made by a counter-party, no man can say what our government would have been at this day. Monarchy, to be sure, is now defeated, and they wish it should be forgotten that it was ever advocated. They see that it is desperate, and treat its imputation to them as a calumny; and I verily believe that none of them have it now in direct aim. Yet the spirit is not done away. The same party takes now what they deem the next best ground, the consolidation of the government; the giving to the federal member of the government, by unlimited constructions of the constitution, a control over all the functions of the States, and the concentration of all power ultimately at Washington.

The true history of that conflict of parties will never be in possession of the public, until, by the death of the actors in it, the hoards of their letters shall be broken up and given to the world. I should not fear to appeal to those of Harper himself, if he has kept copies of them, for abundant proof that he was himself a monarchist. I shall not live to see these unrevealed proofs, nor probably you; for time will be requisite. But time will, in the end, produce the truth. And, after all, it is but a truth which exists in every country, where not suppressed by the rod of despotism. Men, according to their constitutions, and the circumstances in which they are placed, differ honestly in opin-

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ion. Some are whigs, liberals, democrats, call them what you please. Others are tories, serviles, aristocrats, &c. The latter fear the people, and wish to transfer all power to the higher classes of society; the former consider the people as the safest depository of power in the last resort; they cherish them therefore, and wish to leave in them all the powers to the exercise of which they are competent. This is the division of sentiment now existing in the United States. It is the common division of whig and tory, or according to our denominations of republican and federal; and is the most salutary of all divisions, and ought, therefore, to be fostered, instead of being amalgamated. For, take away this, and some more dangerous principle of division will take its place. But there is really no amalgamation. The parties exist now as heretofore. The one, indeed, has thrown off its old name, and has not yet assumed a new one, although obviously consolidationists. And among those in the offices of every denomination I believe it to be a bare minority.

I have gone into these facts to show how one-sided a view of this case Harper has presented. I do not recall these recollections with pleasure, but rather wish to forget them, nor did I ever permit them to affect social intercourse. And now, least of all, am disposed to do so. Peace and good will with all mankind is my sincere wish. I willingly leave to the present generation to conduct their affairs as they please. And in my general affection to the whole human family, and my particular devotion to my friends, be assured of the high and special estimation in which yourself is cordially held.

TO BENJAMIN WATERHOUSE.[1]

MONTICELLO, Jan. 8. 25.

DEAR SIR,—Your favor of Dec. 20. is received. The Professors of our University, 8. in number, are all engaged. Those of antient & modern languages are already on the spot. Three more are hourly expected to arrive, and on their arrival the whole will assemble and enter on their duties. There remains therefore

[1] From a copy courteously furnished by Dr. J. S. H. Fogg, of Boston.

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no place in which we can avail ourselves of the services of the revd. Mr. Bertrum as a teacher. I wish we could do it as a Preacher. I am anxious to see the doctrine of one god commenced in our State. But the population of my neighborhood is too slender, and is too much divided into other sects to maintain any one Preacher well. I must therefore be contented to be an Unitarian by myself, altho I know there are many around me who would become so if once they could hear the question fairly stated.

Your account of Mr. Adams afflicts me deeply: and I join with him in the question, Is existence, such as either his or mine, worth anxiety for it's continuance. The value of life is equivocal with all its' faculties and channels of enjoyment in full exercise. But when these have been withdrawn from us by age, the balance of pain preponderates unequivocally. It is true that if my friend was doomed to a paralysis either of body or mind, he has been fortunate in retaining the vigor of his mind and memory. The most undesirable of all things is long life: and there is nothing I have ever so much dreaded. Altho' subject to occasional indispositions, my health is too good generally not to give me fears on that subject. I am weak indeed in body, able scarcely to walk into my garden without too much fatigue. But a ride of 6. 8. or 10. miles a day gives me none. Still however a start or stumble of my horse, or some one of the many accidents which constantly beset us, may cut short the toughest thread of life, and relieve me from the evils of dotage. Come when it will, it will find me neither unready nor unwilling. To yourself I wish as long a life as you choose and health and prosperity to it's end.

TO FRANCIS ADRIAN VAN DER KEMP. J. MSS.

MONTO Jan. 11. 25.

DEAR SIR,—Your favor of Dec. 28. is duly received, and gladdens me with the information that you continue to enjoy health; it is a principal mitign of the evils of age. I wish that the situatn of our friend Mr. Adams was equally comfortable. But what I learn of his physical condition is truly deplorable. His mind

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however continues strong and firm, his memory sound, his hearing perfect & his spirits good. But both he and myself are at that term of life when there is nothing before us to produce anxiety for it's continuance. I am sorry for the occasion of expressing my condolance on the loss mento. in your letter. The solitude in which we are left by the death of our friends is one of the great evils of protracted life. When I look back to the days of my youth it is like looking over a field of battle. All, all dead! and ourselves left alone midst a new genern whom we know not, and who know not us. I thank you beforehand for the book of your friend P. Vreede of which you have been so kind as to bespeak a copy for me. On the subject of my portefeuille, be assured it contains nothing but copies of my letters. In these I have sometimes indulged myself in reflections on the things which have been passing. Some of them, like that to the quaker to which you refer, may give a moment's amusement to a reader, and from the voluminous mass when I am dead, a selection may perhaps be made of a few which may have interest enough to bear a single reading. Mine has been too much a life of action to allow my mind to wander from the occurrences pressing on it. I have been lately reading a most extraordinary book, that of M. Flourens on the functions of the nervous system in vertebrated animals. He proves by too many, and too accurate experiments to admit contradiction, that from such animals the whole contents of the cerebrum may be taken out, leaving the cerebellum and the rest of the system uninjured, and the animal continue to live in perfect health an indefinite period. He mentions particularly a case of 10½ months of survivance of a pullet. In that state the animal is deprived of every sense, of perception, intelligence, memory and thought of every degree. It will perish on a heap of grain unless you cram it down it's throat. It retains the powers of motion, but feeling no motive, it never moves unless from external excitement. He demonstrates in fact that the cerebrum is the organ of thought, and possesses alone the faculty of thinking. This is a terrible tub thrown out to the Athanasians. They must tell us whether the soul remains in the body in this state deprived of the power of thought? Or does it leave the body as in death? And where does it go? Can it be received in heaven while it's

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body is living on earth? These and a multitude of other questions it will be incumbent on them to answer otherwise than by the dogma that every one who believeth not with them, without doubt shall perish everlastingly. The materialist fortified with these new proofs of his own creed, will hear with derision these Athanasian denunciations. It will not be very long before you and I shall know the truth of all this, and in the meantime I pray for the continuance of your health, contentment & comfort.

TO J. S. JOHNSON. J. MSS.

MONTICELLO Feb. 13. '25.

SIR,—Your favor of the 3d was recd some days ago, and I have taken time to make a thorough search among my papers for whatever might relate to Mr. Sibley, but to no effective purpose. The part of his correspdce which related to public matters was with the Secy. at war. The few letters I have of his respect matters of curiosity, Indn vocabularies & things of that kind. When we acquired Louisiana we were exceedingly uninformed of every thing relating to it. I addressed enquiries to every individual of the country who I thought might give us informn, and I remember that I considered that furnished by Dr. Sibley as distinguished in it's value. At the ensuing Congress I communicated the whole to that body and it was printed and made a large 8vo; the originals, and their printed copy were probably burnt by the British, but the printed copy which I had kept for myself went afterwards to Washington with my library and may there be turned to. It will be found entered in the printed catalogue pa. 104, No. 261 under the title of 'State papers 1793–1812. 36. v. 8vo.' The date of the communicn Nov. 14th, 1803 will point to the particular vol. In this will probably be found much of the informn received from Dr. Sibley, which will give an idea of the extent & value of his services to us on that occasion.

With respect to the two articles particularly stated in your lre I have carefully examd. all my papers & letters of the years 1804. & 1805, and do not find the scrip of a pen relating to them. My memory furnishes me with some *general* recollections on which I

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can depend as to De la Harpe's journal, but several of the particulars are too faintly recalled to be depended on. For example I am not certain whether the correspdce and orders on that subject passed between Govr. Claiborne & myself or the war office and Dr. Sibley. My impression altho' faint, is that it was Govr. Claiborne who informed me of the existence of that book in the hands of an individual, and that it could be purchased, giving such a description of it's contents as shewed it to be highly important to us in our then uninformed state. I think he had got his informn of it from Dr. Sibley. We directed the purchase to be made, & that before trusting the original to the mail, *a* copy should be taken (as I think, but your letter says *two* & it may be so) and sent by successive mails. They were safely recd. and I have believed the cost of the whole had been reimbursed promptly either to Claiborne or Dr. Sibley through whose agency it was obtained. The importance of the work consisted in this. De la Harpe was in some considble office in the govmt of Louisiana & kept a private and regular journal of the public transactions. The French considd the Rio bravo as the Western boundary of Louisiana, but the Spaniards claimed indefinitely to the east of the river. The Fr. & Span. neighboring governors with certain mercantile assciates entered into a Contraband commerce, the former furnishing French merchandise, and receiving from the latter in exchange hard dollars. But the distance between N. O. & the Rio bravo occasd inconveniences & difficulties and therefore the French Govr. winked at the Spaniard's takg a small post at Nacagdoches, and made his reclmns so faintly as not to disturb the post. I cite these transactions by memory but believe without material error. When we acquired Louisiana we considd it as extending to the Rio Bravo and so Bonaparte declared to our Commissioners and that he should have taken possn to that extent. But Spain under color of the corrupt foothold she had got at this and one or two other small posts, claimed the country agt us on the ground of possn. This journal of De la Harpe clearly proves how fraudulently it had been obtained, and was therefore to us of the utmost importance. Hence our anxiety to guard against it's loss by having it copied and trusted to difft mails. The original being lodged in the office of the Secretary of State, I retained a

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copy in my office, to be recurred to in preparing instrns for our Minister at Madrid. When I removd from Washington it was inadvertently packed with my own books & papers, and not attended to until the burning of the public records at Washn. brought the thing to my mind. I immediately sent the copy to the Secretary of State in whose office it now doubtless is and will prove that it's importce justified the price it cost us.

Of the other transaction respecting the purchases of horses &c. to bring a party of Indns to Washn. I have not the slightest trace either in writing or recollection. To the great value which was set on Dr. Sibley's services by the admn of that day I bear testimony willingly as an act of duty & of truth.

I am sorry that the decay of my memory does not permit me to offer anything further and pray you be assured of my great respect & esteem.

TO THOMAS JEFFERSON SMITH. J. MSS.

MONTICELLO, February 21, 1825.

This letter will, to you, be as one from the dead. The writer will be in the grave before you can weigh its counsels. Your affectionate and excellent father has requested that I would address to you something which might possibly have a favorable influence on the course of life you have to run, and I too, as a namesake, feel an interest in that course. Few words will be necessary, with good dispositions on your part. Adore God. Reverence and cherish your parents. Love your neighbor as yourself, and your country more than yourself. Be just. Be true. Murmur not at the ways of Providence. So shall the life into which you have entered, be the portal to one of eternal and ineffable bliss. And if to the dead it is permitted to care for the things of this world, every action of your life will be under my regard. Farewell.

The portrait of a good man by the most sublime of poets, for your imitation.

Lord, who 's the happy man that may to thy blest courts repair;
Not stranger-like to visit them but to inhabit there?

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'T is he whose every thought and deed by rules of virtue moves;
Whose generous tongue disdains to speak the thing his heart disproves.
Who never did a slander forge, his neighbor's fame to wound;
Nor hearken to a false report, by malice whispered round.
Who vice in all its pomp and power, can treat with just neglect:
And piety, though clothed in rags, religiously respect.
Who to his plighted vows and trust has ever firmly stood;
And though he promise to his loss, he makes his promise good.
Whose soul in usury disdains his treasure to employ;
Whom no rewards can ever bribe the guiltless to destroy.
The man, who, by this steady course, has happiness insur'd,
When earth's foundations shake, shall stand, by Providence secur'd.

A Decalogue of Canons for observation in practical life.

1. Never put off till to-morrow what you can do to-day.
2. Never trouble another for what you can do yourself.
3. Never spend your money before you have it.
4. Never buy what you do not want, because it is cheap; it will be dear to you.
5. Pride costs us more than hunger, thirst and cold.
6. We never repent of having eaten too little.
7. Nothing is troublesome that we do willingly.
8. How much pain have cost us the evils which have never happened.
9. Take things always by their smooth handle.
10. When angry, count ten, before you speak; if very angry, an hundred.

TO JUDGE AUGUSTUS B. WOODWARD. J. MSS.

MONTICELLO, April 3, 1825.

DEAR SIR,—Your favor of March 25th has been duly received. The fact is unquestionable, that the Bill of Rights, and the Constitution of Virginia, were drawn originally by George Mason, one of our really great men, and of the first order of greatness. The history of the Preamble to the latter is this: I was then at Philadelphia with Congress; and knowing that the Convention of Virginia was engaged in forming a plan of government, I turned my mind to the same subject, and drew a sketch or outline of a Constitution, with a preamble, which I sent to Mr. Pendleton, president of the convention, on the mere possibility that it might suggest something worth incorporation into that before the convention. He informed me afterwards by letter, that he

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received it on the day on which the Committee of the Whole had reported to the House the plan they had agreed to; that that had been so long in hand, so disputed inch by inch, and the subject of so much altercation and debate; that they were worried with the contentions it had produced, and could not, from mere lassitude, have been induced to open the instrument again; but that, being pleased with the Preamble to mine, they adopted it in the House, by way of amendment to the Report of the Committee; and thus my Preamble became tacked to the work of George Mason. The Constitution, with the Preamble, was passed on the 29th of June, and the Committee of Congress had only the day before that reported to that body the draught of the Declaration of Independence. The fact is, that that Preamble was prior in composition to the Declaration; and both having the same object, of justifying our separation from Great Britain, they used necessarily the same materials of justification, and hence their similitude.

Withdrawn by age from all other public services and attentions to public things, I am closing the last scenes of life by fashioning and fostering an establishment for the instruction of those who are to come after us. I hope its influence on their virtue, freedom, fame and happiness, will be salutary and permanent. The form and distributions of its structure are original and unique, the architecture chaste and classical, and the whole well worthy of attracting the curiosity of a visit. Should it so prove to yourself at any time, it will be a great gratification to me to see you once more at Monticello; and I pray you to be assured of my continued and high respect and esteem.

TO HENRY LEE. J. MSS.

MONTICELLO, May 8, 1825.

DEAR SIR,— * * * That George Mason was author of the bill of rights, and of the constitution founded on it, the evidence of the day established fully in my mind. Of the paper you mention, purporting to be instructions to the Virginia delegation in Congress, I have no recollection. If it were anything more than

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a project of some private hand, that is to say, had any such instructions been ever given by the convention, they would appear in the journals, which we possess entire. But with respect to our rights, and the acts of the British government contravening those rights, there was but one opinion on this side of the water. All American whigs thought alike on these subjects. When forced, therefore, to resort to arms for redress, an appeal to the tribunal of the world was deemed proper for our justification. This was the object of the Declaration of Independence. Not to find out new principles, or new arguments, never before thought of, not merely to say things which had never been said before; but to place before mankind the common sense of the subject, in terms so plain and firm as to command their assent, and to justify ourselves in the independent stand we are compelled to take. Neither aiming at originality of principle or sentiment, nor yet copied from any particular and previous writing, it was intended to be an expression of the American mind, and to give to that expression the proper tone and spirit called for by the occasion. All its authority rests then on the harmonizing sentiments of the day, whether expressed in conversation, in letters, printed essays, or in the elementary books of public right, as Aristotle, Cicero, Locke, Sidney, &c. The historical documents which you mention as in your possession, ought all to be found, and I am persuaded you will find, to be corroborative of the facts and principles advanced in that Declaration. Be pleased to accept assurances of my great esteem and respect.

TO MISS FANNY WRIGHT. J. MSS.

MONTICELLO, August 7, 1825.

I have duly received, dear Madam, your letter of July 26th, and learn from it with much regret, that Miss Wright, your sister, is so much indisposed as to be obliged to visit our medicinal springs. I wish she may be fortunate in finding those which may be adapted to her case. We have taken too little pains to ascertain the properties of our different mineral waters, the cases in which they are respectively remedial, the proper process in

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their use, and other circumstances necessary to give us their full value. My own health is very low, not having been able to leave the house for three months, and suffering much at times. In this state of body and mind, your letter could not have found a more inefficient counsellor, one scarcely able to think or to write. At the age of eighty-two, with one foot in the grave, and the other uplifted to follow it, I do not permit myself to take part in any new enterprises, even for bettering the condition of man, not even in the great one which is the subject of your letter, and which has been through life that of my greatest anxieties. The march of events has not been such as to render its completion practicable within the limits of time allotted to me; and I leave its accomplishment as the work of another generation. And I am cheered when I see that on which it is devolved, taking it up with so much good will, and such minds engaged in its encouragement. The abolition of the evil is not impossible; it ought never therefore to be despaired of. Every plan should be adopted, every experiment tried, which may do something towards the ultimate object. That which you propose is well worthy of trial. It has succeeded with certain portions of our white brethren, under the care of a Rapp and an Owen; and why may it not succeed with the man of color? An opinion is hazarded by some, but proved by none, that moral urgencies are not sufficient to induce him to labor; that nothing can do this but physical coercion. But this is a problem which the present age alone is prepared to solve by experiment. It would be a solecism to suppose a race of animals created, without sufficient foresight and energy to preserve their own existence. It is disproved, too, by the fact that they exist, and have existed through all the ages of history. We are not sufficiently acquainted with all the nations of Africa, to say that there may not be some in which habits of industry are established, and the arts practised which are necessary to render life comfortable. The experiment now in progress in St. Domingo, those of Sierra Leone and Cape Mesurado, are but beginning. Your proposition has its aspects of promise also; and should it not answer fully to calculations in figures, it may yet, in its developments, lead to happy results. These, however, I must leave to another genera-

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tion. The enterprise of a different, but yet important character, in which I have embarked too late in life, I find more than sufficient to occupy the enfeebled energies remaining to me, and that to divert them to other objects, would be a desertion of these. You are young, dear Madam, and have powers of mind which may do much in exciting others in this arduous task. I am confident they will be so exerted, and I pray to heaven for their success, and that you may be rewarded with the blessings which such efforts merit.

TO JOHN VAUGHAN. J. MSS.

MONTICELLO, September 16, 1825.

DEAR SIR,—I am not able to give you any particular account of the paper handed you by Mr. Lee, as being either the original or a copy of the Declaration of Independence, sent by myself to his grandfather. The draught, when completed by myself, with a few verbal amendments by Dr. Franklin and Mr. Adams, two members of the committee, in their own hand-writing, is now in my own possession, and a fair copy of this was reported to the committee, passed by them without amendment, and then reported to Congress. This latter should be among the records of the old Congress; and whether this or the one from which it was copied and now in my hands, is to be called the original, is a question of definition. To that in my hands, if worth preserving, my relations with our University gives irresistible claims. Whenever, in the course of the composition, a copy became overcharged, and difficult to be read with amendments, I copied it fair, and when that also was crowded with other amendments, another fair copy was made, &c. These rough draughts I sent to distant friends who were anxious to know what was passing. But how many, and to whom, I do not recollect. One sent to Mazzei was given by him to the Countess de Tessie (aunt of Madame de Lafayette) *as the original*, and is probably now in the hands of her family. Whether the paper sent to R. H. Lee was one of these, or whether, after the passage of the instrument, I made a copy for him, with the amendments of Congress, may,

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I think, be known from the face of the paper. The documents Mr. Lee has given you must be of great value, and until all these private hoards are made public, the real history of the revolution will not be known.

TO DR. JAMES MEASE. J. MSS.

MONTICELLO, September 26, 1825.

DEAR SIR,—It is not for me to estimate the importance of the circumstances concerning which your letter of the 8th makes inquiry. They prove, even in their minuteness, the sacred attachments of our fellow citizens to the event of which the paper of July 4th, 1776, was but the declaration, the genuine effusion of the soul of our country at that time. Small things may, perhaps, like the relics of saints, help to nourish our devotion to this holy bond of our Union, and keep it longer alive and warm in our affections. This effect may give importance to circumstances, however small. At the time of writing that instrument, I lodged in the house of a Mr. Graaf, a new brick house, three stories high, of which I rented the second floor, consisting of a parlor and bed-room, ready furnished. In that parlor I wrote habitually, and in it wrote this paper, particularly. So far I state from written proofs in my possession. The proprietor, Graaf, was a young man, son of a German, and then newly married. I think he was a bricklayer, and that his house was on the south side of Market street, probably between Seventh and Eighth streets, and if not the only house on that part of the street, I am sure there were few others near it. I have some idea that it was a corner house, but no other recollections throwing light on the question, or worth communication. I am ill, therefore only add assurance of my great respect and esteem.

TO JOHN ADAMS. J. MSS.

MONTICELLO Dec. 18. 25.

DEAR SIR,—Your letters are always welcome, the last more than all others, it's subject being one of the dearest to my heart. To my granddaughter your

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commendations cannot fail to be an object of high ambition, also certain passports to the good opinion of the world. If she does not cultivate them with assiduity and affection, she will illy fulfill my parting injunctions. I trust she will merit a continuance of your favor, and find in her new situation the general esteem she so happily possessed in the society she left. You tell me she repeated to you an expression of mine that I should be willing to go again over the scenes of past life. I should not be unwilling, without however wishing it. And why not? I have enjoyed a greater share of health than falls to the lot of most men; and my spirits have never failed me except under those paroxysms of grief which you, as well as myself, have experienced in every form: and with good health and good spirits the pleasures surely outweigh the pains of life. Why not then taste them again, fat and lean together. Were I indeed permitted to cut off from the train the last seven years, the balance would be much in favor of treading the ground over again, being at that period in the neighborhood of our Warm springs, and well in health. I wished to be better, and tried them. They destroyed in a great degree, my internal organism, and I have never since had a moment of perfect health. I have now been 8 months confined almost constantly to the house, with now and then intervals of a few days on which I could get on horseback.

I presume you have received a copy of the life of Richd. H. Lee from his grandson of the same name, author of the work. You and I know that he merited

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much during the revolution. Eloquent, bold and ever watchful at his post, of which his biographer omits no proof. I am not certain whether the friends of George Mason, of Patrick Henry, yourself, and even of Genl. Washington may not reclaim some feathers of the plumage given him, noble as was his proper and original coat. But on this subject I will not anticipate your own judgment.

I learn with sincere pleasure that you have experienced lately a great renovation of your health. That it may continue to the ultimate period of your wishes is the sincere prayer of us quere ad aras amicissime tui.

TO JAMES MADISON. J. MSS.

MONTICELLO, December 24, 1825.

DEAR SIR,—I have for some time considered the question of internal improvement as desperate. The torrent of general opinion sets so strongly in favor of it as to be irresistible. And I suppose that even the opposition in Congress will hereafter be feeble and formal, unless something can be done which may give a gleam of encouragement to our friends, or alarm their opponents in their fancied security. I learn from Richmond that those who think with us there are in a state of perfect dismay, not knowing what to do or what to propose. Mr. Gordon, our representative, particularly, has written to me in very desponding terms, not disposed to yield indeed, but pressing for opinions and advice on the subject. I have no doubt you are pressed in the same way, and I hope you have devised and recommended something to them. If you have, stop here and read no more, but consider all that follows as *non-avenue*. I shall be better satisfied to adopt implicitly anything which you may have advised, than anything occurring to myself. For I have long ceased to think on subjects of this kind, and pay little attention to public

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proceedings. But if you have done nothing in it, then I risk for your consideration what has occurred to me, and is expressed in the enclosed paper. Bailey's propositions, which came to hand since I wrote the paper, and which I suppose to have come from the President himself, show a little hesitation in the purposes of his party; and in that state of mind, a bolt shot critically may decide the contest by its effect on the less bold. The olive branch held out to them at this moment may be accepted and the constitution thus saved at a moderate sacrifice. I say nothing of the paper, which will explain itself. The following heads of consideration, or some of them, may weigh in its favor:

It may intimidate the wavering. It may break the western coalition, by offering the same thing in a different form. It will be viewed with favor in contrast with the Georgia opposition and fear of strengthening that. It will be an example of a temperate mode of opposition in future and similar cases. It will delay the measure a year at least. It will give us the chance of better times and of intervening accidents; and in no way place us in a worse than our present situation. I do not dwell on these topics; your mind will develop them.

The first question is, whether you approve of doing anything of the kind. If not, send it back to me, and it shall be suppressed; for I would not hazard so important a measure against your opinion, nor even without its support. If you think it may be a canvass on which to put something good, make what alterations you please, and I will forward it to Gordon, under the most sacred injunctions that it shall be so used as that not a shadow of suspicion shall fall on you or myself, that it has come from either of us. But what you do, do as promptly as your convenience will admit, lest it shall be anticipated by something worse.[1]

[1] "The solemn Declaration and Protest of the commonwealth of Virginia on the principles of the constitution of the US. of America & on the violations of them.

We the General Assembly of Virginia, on behalf, and in the name of the people thereof do declare as follows.

The states in N. America which confederated to establish their independance of the government of Great Britain, of which Virginia was one, became, on that

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TO WILLIAM B. GILES. J. MSS.

MONTICELLO, December 25, 1825.

DEAR SIR,—Your favor of the 15th was received four days ago. It found me engaged in what I could not lay aside till this day.

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acquisition, free and independant states, and as such authorised to constitute governments, each for itself, in such form as it thought best.

They entered into a compact (which is called the Constitution of the US. of America) by which they agreed to unite in a single government as to their relations with each other, and with foreign nations, and as to certain other articles particularly specified. They retained at the same time, each to itself the other rights of independant government comprehending mainly their domestic interests.

For the administration of their Federal branch they agreed to appoint, in conjunction, a distinct set of functionaries, legislative, executive and judiciary, in the manner settled in that compact: while to each severally and of course, remained it's original right of appointing, each for itself, a separate set of functionaries, legislative, executive and judiciary also, for administering the Domestic branch of their respective governments.

Those two sets of officers, each independant of the other, constitute thus a *whole* of government, for each state separately the powers ascribed to the one, as specifically made federal, exercisable over the whole, the residuary powers, retained to the other, exercisable exclusively over it's particular state, foreign herein, each to the others, as they were before their original compact.

To this construction of government & distribution of it's powers, the Commonwealth of Virginia does religiously and affectionately adhere, opposing with equal fidelity and firmness, the usurpation of either set of functionaries on the rightful powers of the other.

But the federal branch has assumed in some cases and claimed in others, a right of enlarging it's own powers by constructions, inferences, and indefinite deductions, from those directly given, which this assembly does declare to be usurpations of the powers retained to the independant branches, mere interpolations into the compact, and direct infractions of it.

They claim, for example, and have commenced the exercise of a right to construct roads, open canals, & effect other internal improvements within the territories and jurisdictions exclusively belonging to the several states, which this assembly does declare has not been given to that branch by the constitutional compact, but remain to each state among it's domestic and unalienated powers exercisable within itself, and by it's domestic authorities alone.

This assembly does further disavow, and declare to be most false and unfounded, the doctrine, that the compact, in authorising it's federal branch to lay and collect taxes, duties, imposts and excises to pay the debts and provide for

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Far advanced in my eighty-third year, worn down with infirmities which have confined me almost entirely to the house for seven or eight months past, it afflicts me much to receive appeals to my memory for transactions so far back as that which is the subject of your letter. My memory is indeed become almost a blank, of which no better proof can probably be given you than

the common defence and general welfare of the U S. has given them thereby a power to do whatever *they* may think, or pretend, would promote the general welfare, which construction would make that, of itself, a complete government, without limitation of powers; but that the plain sense and obvious meaning was that they might levy the taxes necessary to provide for the general welfare by the various acts of power therein specified and delegated to them, and by no others.

Nor is it admitted, as has been said, that the people of these states, by not investing their federal branch with all means of bettering their condition, have denied to themselves any which may effect that purpose since, in the distribution of these means, they have given to that branch those which belong to it's department, and to the states have reserved separately the residue which belong to them separately. And thus by the organization of the two branches taken together, have completely secured the first object of human association, the full improvement of their condition, and reserved to themselves all the faculties of multiplying their own blessings.

Whilst the General assembly thus declares the rights retained by the states, rights which they have never yielded, and which this state will never voluntarily yield, they do not mean to raise the banner of disaffection, or of separation from their sister-states, co-parties with themselves to this compact. They know and value too highly the blessings of their union as to foreign nations and questions arising among themselves, to consider every infraction as to be met by actual resistance; they respect too affectionately the opinions of those possessing the same rights under the same instrument, to make every difference of construction a ground of immediate rupture. They would indeed consider such a rupture as among the greatest calamities which could befall them; but not the greatest. There is yet one greater, submission to a government of unlimited powers. It is only when the hope of avoiding this shall become absolutely desperate that further forbearance could not be indulged. Should a majority of the Co-parties therefore contrary to the expectation and hope of this assembly, prefer at this time, acquiescence in these assumptions of power by the federal member of the government, we will be patient and suffer much, under the confidence that time, ere it be too late, will prove to them also the bitter consequences in which this usurpation will involve us all. In the mean while we will breast with them, rather than separate from them, every misfortune save that only of living under a government of unlimited powers. We owe every other sacrifice to ourselves, to our federal brethren, and to the world at large, to

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by my solemn protestation, that I have not the least recollection of your intervention between Mr. John Q. Adams and myself, in what passed on the subject of the embargo. Not the slightest trace of it remains in my mind. Yet I have no doubt of the

pursue with temper and perseverance the great experiment which shall prove that man is capable of living in society, governing itself by laws self-imposed, and securing to it's members the enjoyment of life, liberty, property and peace; and further to shew that even when the government of it's choice shall shew a tendency to degeneracy, we are not at once to despair but that the will & the watchfulness of it's sounder parts will reform it's aberrations, recall it to original and legitimate principles and restrain it within the rightful limits of self-government. And these are the objects of this Declaration and Protest.

Supposing then that it might be for the good of the whole, as some of it's Co-states seem to think, that this power of making roads and canals should be added to those directly given to the federal branch, as more likely to be systematically and beneficially directed, than by the independant action of the several states, this Commonwealth, from respect to these opinions, and a desire of conciliation with it's Co-states, will consent, in concurrence with them, to make this addition, provided it be done regularly by an amendment of the compact, in the way established by that instrument, and provided also it be sufficiently guarded against abuses, compromises, and corrupt practices, not only of possible, but of probable occurrence. And as a further pledge of the sincere and cordial attachment of this commonwealth to the Union of the whole so far as has been consented to by the compact called 'the Constitution of the US. of America' (construed according to the plain and ordinary meaning of it's language, to the common intendment of the time, and of those who framed it) to give also to all parties and authorities time for reflection, and for consideration whether, under a temperate view of the possible consequences, and especially of the constant obstructions which an equivocal majority must ever expect to meet, they will still prefer the assumption of this power rather than it's acceptance from the free will of their constituents, and to preserve peace in the meanwhile, we proceed to make it the duty of our citizens, until the legislature shall otherwise & ultimately decide, to acquiesce under those acts of the federal branch of our government which we have declared to be usurpations, and against which, in point of right, we do protest as null and void, and never to be quoted as precedents of right.

We therefore do enact, and be it enacted by the General assembly of Virginia that all citizens of this commonwealth, and persons and authorities within the same, shall pay full obedience at all times to the Acts which may be past by the Congress of the US. the object of which shall be the construction of postroads, making canals of navigation, and maintaining the same in any part of the US. in like manner as if the said acts were, totidem verbis past by the legislature of this commonwealth."

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exactitude of the statement in your letter. And the less, as I recollect the interview with Mr. Adams, to which the previous communications which had passed between him and yourself were probably and naturally the preliminary. That interview I remember well; not indeed in the very words which passed between us, but in their substance, which was of a character too awful, too deeply engraved in my mind, and influencing too materially the course I had to pursue, ever to be forgotten. Mr. Adams called on me pending the embargo, and while endeavors were making to obtain its repeal. He made some apologies for the call, on the ground of our not being then in the habit of confidential communications, but that that which he had then to make, involved too seriously the interest of our country not to overrule all other considerations with him, and make it his duty to reveal it to myself particularly. I assured him there was no occasion for any apology for his visit; that, on the contrary, his communications would be thankfully received, and would add a confirmation the more to my entire confidence in the rectitude and patriotism of his conduct and principles. He spoke then of the dissatisfaction of the eastern portion of our confederacy with the restraints of the embargo then existing, and their restlessness under it. That there was nothing which might not be attempted, to rid themselves of it. That he had information of the most unquestionable certainty, that certain citizens of the eastern States (I think he named Massachusetts particularly) were in negotiation with agents of the British government, the object of which was an agreement that the New England States should take no further part in the war then going on; that, without formally declaring their separation from the Union of the States, they should withdraw from all aid and obedience to them; that their navigation and commerce should be free from restraint and interruption by the British; that they should be considered and treated by them as neutrals, and as such might conduct themselves towards both parties; and, at the close of the war, be at liberty to rejoin the confederacy. He assured me that there was eminent danger that the convention would take place; that the temptations were such as might debauch many from their fidelity to the Union; and that, to enable its friends to make head against it, the repeal of the embargo was

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absolutely necessary. I expressed a just sense of the merit of this information, and of the importance of the disclosure to the safety and even the salvation of our country; and however reluctant I was to abandon the measure, (a measure which persevered in a little longer, we had subsequent and satisfactory assurance would have effected its object completely,) from that moment, and influenced by that information, I saw the necessity of abandoning it, and instead of effecting our purpose by this peaceful weapon, we must fight it out, or break the Union. I then recommended to yield to the necessity of a repeal of the embargo, and to endeavor to supply its place by the best substitute, in which they could procure a general concurrence.

I cannot too often repeat, that this statement is not pretended to be in the very words which passed; that it only gives faithfully the impression remaining on my mind. The very words of a conversation are too transient and fugitive to be so long retained in remembrance. But the substance was too important to be forgotten, not only from the revolution of measures it obliged me to adopt, but also from the renewals of it in my memory on the frequent occasions I have had of doing justice to Mr. Adams, by repeating this proof of his fidelity to his country, and of his superiority over all ordinary considerations when the safety of that was brought into question.

With this best exertion of a waning memory which I can command, accept assurances of my constant and affectionate friendship and respect.

TO WILLIAM B. GILES. J. MSS.

MONTICELLO, December 26, 1825.

DEAR SIR,—I wrote you a letter yesterday, of which you will be free to make what use you please. This will contain matters not intended for the public eye. I see, as you do, and with the deepest affliction, the rapid strides with which the federal branch of our government is advancing towards the usurpation of all the rights reserved to the States, and the consolidation in itself of all powers, foreign and domestic; and that, too, by constructions

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which, if legitimate, leave no limits to their power. Take together the decisions of the federal court, the doctrines of the President, and the misconstructions of the constitutional compact acted on by the legislature of the federal branch, and it is but too evident, that the three ruling branches of that department are in combination to strip their colleagues, the State authorities, of the powers reserved by them, and to exercise themselves all functions foreign and domestic. Under the power to regulate commerce, they assume indefinitely that also over agriculture and manufactures, and call it regulation to take the earnings of one of these branches of industry, and that too the most depressed, and put them into the pockets of the other, the most flourishing of all. Under the authority to establish post roads, they claim that of cutting down mountains for the construction of roads, of digging canals, and aided by a little sophistry on the words "general welfare," a right to do, not only the acts to effect that, which are specifically enumerated and permitted, but whatsoever they shall think, or pretend will be for the general welfare. And what is our resource for the preservation of the constitution? Reason and argument? You might as well reason and argue with the marble columns encircling them. The representatives chosen by ourselves? They are joined in the combination, some from incorrect views of government, some from corrupt ones, sufficient voting together to out-number the sound parts; and with majorities only of one, two, or three, bold enough to go forward in defiance. Are we then *to stand to our arms*, with the hot-headed Georgian? No. That must be the last resource, not to be thought of until much longer and greater sufferings. If every infraction of a compact of so many parties is to be resisted at once, as a dissolution of it, none can ever be formed which would last one year. We must have patience and longer endurance then with our brethren while under delusion; give them time for reflection and experience of consequences; keep ourselves in a situation to profit by the chapter of accidents; and separate from our companions only when the sole alternatives left, are the dissolution of our Union with them, or submission to a government without limitation of powers. Between these two evils, when we must make a choice, there can be no hesita-

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tion. But in the meanwhile, the States should be watchful to note every material usurpation on their rights; to denounce them as they occur in the most peremptory terms; to protest against them as wrongs to which our present submission shall be considered, not as acknowledgments or precedents of right, but as a temporary yielding to the lesser evil, until their accumulation shall overweigh that of separation. I would go still further, and give to the federal member, by a regular amendment of the constitution, a right to make roads and canals of intercommunication between the States, providing sufficiently against corrupt practices in Congress, (log-rolling, &c.,) by declaring that the federal proportion of each State of the moneys so employed, shall be in works within the State, or elsewhere with its consent, and with a due *salvo* of jurisdiction. This is the course which I think safest and best as yet.

You ask my opinion of the propriety of giving publicity to what is stated in your letter, as having passed between Mr. John Q. Adams and yourself. Of this no one can judge but yourself. It is one of those questions which belong to the forum of feeling. This alone can decide on the degree of confidence implied in the disclosure; whether under no circumstances it was to be communicated to others? It does not seem to be of that character, or at all to wear that aspect. They are historical facts which belong to the present, as well as future times. I doubt whether a single fact, known to the world, will carry as clear conviction to it, of the correctness of our knowledge of the treasonable views of the federal party of that day, as that disclosed by this, the most nefarious and daring attempt to dissever the Union, of which the Hartford convention was a subsequent chapter; and both of these having failed, consolidation becomes the fourth chapter of the next book of their history. But this opens with a vast accession of strength from their younger recruits, who, having nothing in them of the feelings or principles of '76, now look to a single and splendid government of an aristocracy, founded on banking institutions, and moneyed incorporations under the guise and cloak of their favored branches of manufactures, commerce and navigation, riding and ruling over the plundered ploughman and beggared yeomanry. This will be to them a next

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best blessing to the monarchy of their first aim, and perhaps the surest stepping-stone to it.

I learn with great satisfaction that your school is thriving well, and that you have at its head a truly classical scholar. He is one of three or four whom I can hear of in the State. We were obliged the last year to receive shameful Latinists into the classical school of the University, such as we will certainly refuse as soon as we can get from better schools a sufficiency of those properly instructed to form a class. We must get rid of this Connecticut Latin, of this barbarous confusion of long and short syllables, which renders doubtful whether we are listening to a reader of Cherokee, Shawnee, Iroquois, or what. Our University has been most fortunate in the five professors procured from England. A finer selection could not have been made. Besides their being of a grade of science which has left little superior behind, the correctness of their moral character, their accommodating dispositions, and zeal for the prosperity of the institution, leave us nothing more to wish. I verily believe that as high a degree of education can now be obtained here, as in the country they left. And a finer set of youths I never saw assembled for instruction. They committed some irregularities at first, until they learned the lawful length of their tether; since which it has never been transgressed in the smallest degree. A great proportion of them are severely devoted to study, and I fear not to say that within twelve or fifteen years from this time, a majority of the rulers of our State will have been educated here. They shall carry hence the correct principles of our day, and you may count assuredly that they will exhibit their country in a degree of sound respectability it has never known, either in our days, or those of our forefathers. I cannot live to see it. My joy must only be that of anticipation. But that you may see it in full fruition, is the probable consequence of the twenty years I am ahead of you in time, and is the sincere prayer of your affectionate and constant friend.

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TO WILLIAM F. GORDON. J. MSS.

MONTO. Jan. 1, 26.

DEAR SIR,—I cannot blame you, if you have been thinking hardly of my long delay in answering your favor of the 10th ult. But knowing the state of my health these thoughts will vanish from your mind. It is now 3. weeks since a re-ascerbation of my painful complaint has confined me to the house and indeed to my couch. Required to be constantly recumbent I wrote slowly and with difficulty. Yesterday for the 1st time I was able to leave the house and to resume a posture which enables me to begin to answer the letters which have been accumulating, and I take up yours first. Weakened in body by infirmities and in mind by age, now far gone in my 83d year, reading one newspaper only and forgetting immediately what I read in that, I am unable to give counsel in cases of difficulty, and our present one is truly a case of difficulty. It is but too evident that the branches of our foreign department of govmt. Exve, judiciary and legislative are in combination to usurp the powers of the domestic branch also reserved to the states and consolidate themselves into a single govmt without limitn of powers. I will not trouble you with details of the instances which are threadbare and unheeded. The only question is what is to be done? Shall we give up the ship? No, by heavens, while a hand remains able to keep the deck. Shall we with the hot-headed Georgian, stand at once to our arms? Not yet, nor until the evil, the only greater one than separn, shall be all but upon us, that of living under a government of discretion. Between these alternatives there can be no hesitation. But again, what are we to do? I am glad I did not answer earlier, for a fortnight ago might have called for a different answer. Since that the S. C. resolutions are become known. Van Buren's motion and Baylie's proposn to yield the power of roads and canals, provided it be regularly by an amdmt of the constn and guarded against abusive practices under it. We had better at present rest awhile on our oars and see which way the tide will set, in Congress and in the state legislatures. Perhaps it will be better for Virginia to follow than take the lead in whatever is to be done. A Majority of the people are against us on this ques-

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tion. The Western states have especially been bribed by local considns to abandon their antient brethren and enlist under banners alien to them in principles & interest. If in this state of things we can make such a compromise as Baylie proposes, we shall save and at the same time improve our constn, for I think that with suffict guards it will be a wholesome amdmt. And not doubting but that it comes from the president himself we may hope it's success under such auspices. If I had an opn therefore it would be for lying still awhile. But I have none. I have neither matter nor mind to form one. And I pray that what I have now hazarded to you as a friend may be sacredly locked up in your own breast. For abandoning, as it is time, to the genern now on the stage, the entire management of their own affairs, I should deem it the greatest of all calamities to be implicated, at this period of life in embroilment of which I wish never to think again. Yesterday the last of the year closed the 61st of my continued services to the public. I came into it as soon as of age which was in 1764. beginning with the court of my county, then their Representative [*illegible*] Governor, Congress, M.P. Secy of State V. President Presid. [*illegible*].

TO JAMES MADISON. J. MSS.

MONTICELLO Jan. 2 26.

DEAR SIR,—I now return you Ritchie's letter and your answer. I have read the last with entire approbation and adoption of it's views. When my paper was written all was gloom, and the question of roads and canals was thought desperate at Washington after the President's message. Since that however have appeared the S. C. resolns, Van Buren's motion, and above all Baylie's proposn of Amdmt, believed to come from the President himself, who may have motives for it. After these, before we can see their issue my proposn would certainly be premature. I think with you too that any measures of opposition would come with more hope from any other state than from Virginia, and S. C. N. Y. and Massachusetts being willing to take the lead, we had better follow. I have therefore suppressed my paper, and recom-

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mend to Gordon to do nothing until we see the course Bailey's proposn will take, which I think a desirable one in itself.

I have been quite anxious to get a good drawing master in the Military or landscape line for the University. It is a branch of male educn most highly & justly valued on the continent of Europe. One most highly recommended as a landscape painter and as a personal character offered himself under a mistaken expectn as to the emoluments. I authorized Dr. Emmet to speak with him on the subject, and inclose you his letter. Rembrandt Peale, whose opinion I asked is as high in his praises as Emmet. I fear his present birth is too good to leave it for ours under it's present uncertainties. His predilection to come to us might have some weight. Whether the offer to pay the expenses of his removal might be sufficient for him and approvable by us is a question. There is a more advantageous offer we might make him. You know we have 2. pavilions not yet occupied, nor likely soon to be so. A rent of 8. p. c. would be 600 D. a year. We could let him have the occupn gratis until an addition to our Professors might call for a resumption of it. I shall suggest this offer to Emmet but to avoid all engagement till the sanction of the Visitors should be obtained. Be so good as to return me the letter. Ever & affectly yours.

TO THOMAS MANN RANDOLPH.[1]

MONTICELLO, Jan. 8, '26.

DEAR SIR,—I have for sometime entertained the hope that your affairs being once wound up, your mind would cease to look back on them, and resume the calm so necessary to your own happiness, and that of your family and friends; and especially that you would return again to their society. I hope there remains no reason now to delay this longer, and that you will rejoin our table and fireside as heretofore. It is now that the value of education will prove itself to you, in the resource to books of which it has qualified you to avail yourself, and which, aided by the conversation and endearments of your family, and

[1] From the original in the possession of Archibald Cary Coolidge.

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every comfort which this place can be made to afford you, will I hope, ensure to you future ease and happiness. Be assured that to no one will your society be more welcome than to myself, and that my affectionate friendship to you and respect, remain constant & sincere.[1]

TO WILLIAM SHORT. J. MSS.

MONTICELLO Jan. 18, 26.

DEAR SIR,—Yours of the 11th is received. Those of Nov. 2. and Dec. 14. had been so in due time. I suppose I had not acknoleged them specifically from being perhaps too lazy to recur to them while writing mine of the I thank you for your information from Mr. Boyce and shall desire the instruments to remain in their present position until I can find a safe and gentle

[1] The following is a note in lead pencil appended to the foregoing letter, in the handwriting of Mr. Randolph, but without signature:

"I never slept a night from Monticello while my wife was there. But I left it early & returned after dark. After my misfortune I wished to avoid the supercilious looks of Mr. Jefferson's various guests. I still had the house in which I had so long kept my books & papers. Thither I went at an early hour every day & constantly returned when I could cross the river or the rains were not too heavy to brave."

Again Jefferson wrote to his son-in-law:

"Let me beseech you, dear sir, to return and become again a member of the family. I have ever wished you to consider yourself at home here, and to command, bring your friends, and act in all respects as you would in your own house. We are all distressed at your withdrawing from us. Your family doubtless have felt their participation in your misfortunes. This is natural. But in these there is nothing extraordinary. But your separation is a grief of a more distressing kind. From this you can relieve us all, and better promote your own happiness by returning to the bosom of those who love and respect you, rather than to coutinue in solitude, brooding over your misfortunes, & encouraging their ravages on your mind, and on the happiness of your life. Neither your family, nor yourself can be without any comforts while I have anything, and all I ask is that you will be assured of this, as well as of my affectionate friendship & respect."

Randolph penciled on this letter:

"I never passed a night from Monticello unless from heavy rain in the evening or the river being too high to cross. *Tho. M. R.*"

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conveyance and give an order for them. The Russian discourse was duly received and was read with the feelings it would naturally excite in the breast of a friend to the Rights of man. On the subject of emancipation I have ceased to think because not to be a work of my day. The plan of converting the blacks into Serfs would certainly be better than keeping them in their present condition, but I consider that of expatriation to the governments of the W. I. of their own colour as entirely practicable, and greatly preferable to the mixture of colour here. To this I have great aversion; but I repeat my abandonment of the subject. My health is at present as good as I ever expect it to be, and I am ever and affectionately yours.

THOUGHTS ON LOTTERIES.

February, 1826.

It is a common idea that games of chance are immoral. But what is chance? Nothing happens in this world without a cause. If we know the cause, we do not call it chance; but if we do not know it, we say it was produced by chance. If we see a loaded die turn its lightest side up, we know the cause, and that it is not an effect of chance; but whatever side an unloaded die turns up, not knowing the cause, we say it is the effect of chance. Yet the morality of a thing cannot depend on our knowledge or ignorance of its cause. Not knowing why a particular side of an unloaded die turns up, cannot make the act of throwing it, or of betting on it, immoral. If we consider games of chance immoral, then every pursuit of human industry is immoral; for there is not a single one that is not subject to chance, not one wherein you do not risk a loss for the chance of some gain. The navigator, for example, risks his ship in the hope (if she is not lost in the voyage) of gaining an advantageous freight. The merchant risks his cargo to gain a better price for it. A landholder builds a house on the risk of indemnifying himself by a rent. The hunter hazards his time and trouble in the hope of killing game. In all these pursuits, you stake some one thing against another which you hope to win. But the greatest of all

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gamblers is the farmer. He risks the seed he puts into the ground, the rent he pays for the ground itself, the year's labor on it, and the wear and tear of his cattle and gear, to win a crop, which the chances of too much or too little rain, and general uncertainties of weather, insects, waste, &c., often make a total or partial loss. These, then, are games of chance. Yet so far from being immoral, they are indispensable to the existence of man, and every one has a natural right to choose for his pursuit such one of them as he thinks most likely to furnish him subsistence. Almost all these pursuits of chance produce something useful to society. But there are some which produce nothing, and endanger the well-being of the individuals engaged in them, or of others depending on them. Such are games with cards, dice, billiards, &c. And although the pursuit of them is a matter of natural right, yet society, perceiving the irresistible bent of some of its members to pursue them, and the ruin produced by them to the families depending on these individuals, consider it as a case of insanity, *quoad hoc*, step in to protect the family and the party himself, as in other cases of insanity, infancy, imbecility, &c., and suppress the pursuit altogether, and the natural right of following it. There are some other games of chance, useful on certain occasions, and injurious only when carried beyond their useful bounds. Such are insurances, lotteries, raffles, &c. These they do not suppress, but take their regulation under their own discretion. The insurance of ships on voyages is a vocation of chance, yet useful, and the right to exercise it therefore is left free. So of houses against fire, doubtful debts, the continuance of a particular life, and similar cases. Money is wanting for a useful undertaking, as a school, &c., for which a direct tax would be disapproved. It is raised therefore by a lottery, wherein the tax is laid on the willing only, that is to say, on those who can risk the price of a ticket without sensible injury for the possibility of a higher prize. An article of property, insusceptible of division at all, or not without great diminution of its worth, is sometimes of so large value as that no purchaser can be found while the owner owes debts, has no other means of payment, and his creditors no other chance of obtaining it but by its sale at a full and fair price. The lottery is here a sal-

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utary instrument for disposing of it, where many run small risks for the chance of obtaining a high prize. In this way the great estate of the late Colonel Byrd (in 1756) was made competent to pay his debts, which, had the whole been brought into the market at once, would have overdone the demand, would have sold at half or quarter the value, and sacrificed the creditors, half or three-fourths of whom would have lost their debts. This method of selling was formerly very much resorted to, until it was thought to nourish too much a spirit of hazard. The legislature were therefore induced not to suppress it altogether, but to take it under their own special regulation. This they did for the first time by their act of 1769, c. 17, before which time every person exercised the right freely; and since which time, it is made unlawful but when approved and authorized by a special act of the legislature.

Since then this right of sale, by way of lottery, has been exercised only under the jurisdiction of the legislature. Let us examine the purposes for which they have allowed it in practice, not looking beyond the date of our independence.

1. It was for a long time an item of the standing revenue of the State.

1813. c. 1, § 3. An act imposing taxes for the support of government, and c. 2, § 10.
1814. Dec. c. 1, § 3. 1814. Feb. c. 1, § 3. 1818. c. 1, § 1.
1819. c. 1. 1820. c. 1.

This, then, is a declaration by the nation, that an act was not immoral, of which they were in the habitual use themselves as a part of the regular means of supporting the government; the tax on the vender of tickets was their share of the profits, and if their share was innocent, his could not be criminal.

2. It has been abundantly permitted to raise money by lottery for the purposes of schools; and in this, as in many other cases, the lottery has been permitted to retain a part of the money (generally from ten to fifteen per cent.) for the use to which the lottery has been applied. So that while the adventurers paid one hundred dollars for tickets, they received back eighty-five or ninety dollars only in the form of prizes, the remaining ten or fifteen being the tax levied on them, with their own consent. Examples are,

1784. c. 34. Authorizing the city of Williamsburg to raise £2,000 for a grammar school.
1789. c. 68. For Randolph Academy, £1,000.
1789. c. 73. For Fauquier Academy, £500.
c. 74. For the Fredericksburg Academy, £4,000.

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1790. c. 46. For the Transylvanian Seminary, £500.
For the Southampton Academy, £300.
1796. c. 82. For the New London Academy.
1803. c. 49. For the Fredericksburg Charity School.
c. 50. For finishing the Strasbury Seminary.
c. 58. For William and Mary College.
c. 62. For the Bannister Academy.
c. 79. For the Belfield Academy.
c. 82. For the Petersburg Academy.
1804. c. 40. For the Hotsprings Seminary.
c. 76. For the Stevensburg Academy.
c. 100. For William and Mary College.
1805. c. 24. For the Rumford Academy.
} [1]
1812. c. 10. For the Literary Fund. To sell the privilege for $30,000 annually, for seven years.
1816. c. 80. For Norfolk Academy, $12,000.
Norfolk Female Society, $2,000.
Lancastrian School, $6,000.

3. The next object of lotteries has been rivers.

1790. c. 46. For a bridge between Gosport and Portsmouth, £400.
1796. c. 83. For clearing Roanoke River.
1804. c. 62. For clearing Quantico Creek.
1805. c. 42. For a toll bridge over Cheat River.
1816. c. 49. For the Dismal Swamp, $50,000.

4. For roads.

1790. c. 46. For a road to Warminster, £200.
For cutting a road from Rockfish gap to Scott's and Nicholas's landing, £400.
1796. c. 85. To repair certain roads.
1803. c. 60. For improving roads to Snigger's and Ashby's gaps.
c. 61. For opening a road to Brock's gap.
c. 65. For opening a road from the town of Monroe to Sweet Springs and Lewisburg.
c. 71. For improving the road to Brock's gap.
1805. c. 5. For improving the road to Clarksburg.
c. 26. For opening a road from Monongalia Glades to Fishing Creek.
1813. c. 44. For opening a road from Thornton's gap.

5. Lotteries for the benefit of counties.

1796. c. 78. To authorize a lottery in the county of Shenandoah.
c. 84. To authorize a lottery in the county of Gloucester.

[1] The acts not being at hand, the sums allowed are not known. *T. J.*

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6. Lotteries for the benefit of towns.

1782. c. 31. Richmond, for a bridge over Shockoe, amount not limited.
1789. c. 75. Alexandria, to pave its streets, £1,500.
1790. c. 46. do. do. £5,000.
1796. c. 79. Norfolk, one or more lotteries authorized.
c. 81. Petersburg, a lottery authorized.
1803. c. 12. Woodstock, do.
c. 48. Fredericksburg, for improving its main street.
c. 73. Harrisonburg, for improving its streets.

7. Lotteries for religious congregations.

1785. c. 111. Completing a church in Winchester.
For rebuilding a church in the parish of Elizabeth River.
1791. c. 69. For the benefit of the Episcopal society.
1790. c. 46. For building a church in Warminster, £200.
in Halifax, £200.
in Alexandria, £500.
in Petersburg, £750.
in Shepherdstown, £250.

8. Lotteries for private societies.

1790. c. 46. For the Amicable Society in Richmond, £1,000.
1791. c. 70. For building a Freemason's Hall in Charlotte, £750.

9. Lotteries for the benefit of private individuals. [To raise money for them.]

1796. c. 80. For the sufferers by fire in the town of Lexington.
1781. c. 6. For completing titles under Byrd's lottery.
1790. c. 46. To erect a paper mill in Staunton, £300.
To raise £2,000 for Nathaniel Twining.
1791. c. 73. To raise £4,000 for William Tatham, to enable him to complete his geographical work.
To enable ——— to complete a literary work.[1]

We have seen, then, that every vocation in life is subject to the influence of chance; that so far from being rendered immoral by the admixture of that ingredient, were they abandoned on that account, man could no longer subsist; that, among them, every one has a natural right to choose that which he thinks most likely to give him comfortable subsistence; but that while the greater number of these pursuits are productive of something which adds to the necessaries and comforts of life, others again, such as cards,

[1] I found such an act, but not noting it at the time, I have not been able to find it again. But there is such an one.—*T. J.*

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dice, &c., are entirely unproductive, doing good to none, injury to many, yet so easy, and so seducing in practice to men of a certain constitution of mind, that they cannot resist the temptation, be the consequences what they may; that in this case, as in those of insanity, idiocy, infancy, &c., it is the duty of society to take them under its protection, even against their own acts, and to restrain their right of choice of these pursuits, by suppressing them entirely; that there are others, as lotteries particularly, which, although liable to chance also, are useful for many purposes, and are therefore retained and placed under the discretion of the Legislature, to be permitted or refused according to the circumstances of every special case, of which they are to judge; that between the years 1782 and 1820, a space of thirty-eight years only, we have observed seventy cases, where the permission of them has been found useful by the Legislature, some of which are in progress at this time. These cases relate to the emolument of the whole State, to local benefits of education, of navigation, of roads, of counties, towns, religious assemblies, private societies, and of individuals under particular circumstances which may claim indulgence or favor. The latter is the case now submitted to the Legislature, and the question is, whether the individual soliciting their attention, or his situation, may merit that degree of consideration which will justify the Legislature in permitting him to avail himself of the mode of selling by lottery, for the purpose of paying his debts.

That a fair price cannot be obtained by sale in the ordinary way, and in the present depressed state of agricultural industry, is well known. Lands in this State will not now sell for more than a third or fourth of what they would have brought a few years ago, perhaps at the very time of the contraction of the debts for which they are now to be sold. The low price in foreign markets, for a series of years past, of agricultural produce, of wheat generally, of tobacco most commonly, and the accumulation of duties on the articles of consumption not produced within our State, not only disable the farmer or planter from adding to his farm by purchase, but reduces him to sell his own, and remove to the western country, glutting the market he leaves, while he lessens the number of bidders. To be protected against this sacrifice

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is the object of the present application, and whether the applicant has any particular claim to this protection, is the present question.

Here the answer must be left to others. It is not for me to give it. I may, however, more readily than others, suggest the offices in which I have served. I came of age in 1764, and was soon put into the nomination of justice of the county in which I live, and at the first election following I became one of its representatives in the Legislature.

I was thence sent to the old Congress.

Then employed two years with Mr. Pendleton and Mr. Wythe. on the revisal and reduction to a single code of the whole body of the British statutes, the acts of our Assembly, and certain parts of the common law.

Then elected Governor.

Next to the Legislature, and to Congress again.

Sent to Europe as Minister Plenipotentiary.

Appointed Secretary of State to the new government.

Elected Vice-President, and

President.

And lastly, a Visitor and Rector of the University.

In these different offices, with scarcely any interval between them, I have been in the public service now sixty-one years; and during the far greater part of the time, in foreign countries or in other States. Every one knows how inevitably a Virginia estate goes to ruin, when the owner is so far distant as to be unable to pay attention to it himself; and the more especially, when the line of his employment is of a character to abstract and alienate his mind entirely from the knowledge necessary to good, and even to saving management.

If it were thought worth while to specify any particular services rendered, I would refer to the specification of them made by the Legislature itself in their Farewell Address, on my retiring from the Presidency, February, 1809. [This will be found in 2 Pleasant's Collection, page 144.] There is one, however, not therein specified, the most important in its consequences, of any transaction in any portion of my life; to wit, the head I personally made against the federal principles and proceedings, during the administration of Mr. Adams. Their usurpations and viola-

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tions of the constitution at that period, and their majority in both Houses of Congress, were so great, so decided, and so daring, that after combating their aggressions, inch by inch, without being able in the least to check their career, the republican leaders thought it would be best for them to give up their useless efforts there, go home, get into their respective Legislatures, embody whatever of resistance they could be formed into, and if ineffectual, to perish there as in the last ditch. All, therefore, retired. leaving Mr. Gallatin alone in the House of Representatives, and myself in the Senate, where I then presided as Vice-President, Remaining at our posts, and bidding defiance to the brow beatings and insults by which they endeavored to drive us off also, we kept the mass of republicans in phalanx together, until the Legislatures could be brought up to the charge ; and nothing on earth is more certain, than that if myself particularly, placed by my office of Vice-President at the head of the republicans, had given way and withdrawn from my post, the republicans throughout the Union would have given up in despair, and the cause would have been lost forever. By holding on, we obtained time for the Legislatures to come up with their weight ; and those of Virginia and Kentucky particularly, but more especially the former, by their celebrated resolutions, saved the constitution at its last gasp. No person who was not a witness of the scenes of that gloomy period, can form any idea of the afflicting persecutions and personal indignities we had to brook. They saved our country however. The spirits of the people were so much subdued and reduced to despair by the X Y Z imposture, and other stratagems and machinations, that they would have sunk into apathy and monarchy, as the only form of government which could maintain itself.

If Legislative services are worth mentioning, and the stamp of liberality and equality, which was necessary to be imposed on our laws in the first crisis of our birth as a nation, was of any value, they will find that the leading and most important laws of that day were prepared by myself, and carried chiefly by my efforts ; supported, indeed, by able and faithful coadjutors from the ranks of the House, very effective as seconds, but who would not have taken the field as leaders.

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The prohibition of the further importation of slaves was the first of these measures in time.

This was followed by the abolition of entails, which broke up the hereditary and high-handed aristocracy, which, by accumulating immense masses of property in single lines of families, had divided our country into two distinct orders, of nobles and plebeians.

But further to complete the equality among our citizens so essential to the maintenance of republican government, it was necessary to abolish the principle of primogeniture. I drew the law of descents, giving equal inheritance to sons and daughters, which made a part of the revised code.

The attack on the establishment of a dominant religion, was first made by myself. It could be carried at first only by a suspension of salaries for one year, by battling it again at the next session for another year, and so from year to year, until the public mind was ripened for the bill for establishing religious freedom, which I had prepared for the revised code also. This was at length established permanently, and by the efforts chiefly of Mr. Madison, being myself in Europe at the time that work was brought forward.

To these particular services, I think I might add the establishment of our University, as principally my work, acknowledging at the same time, as I do, the great assistance received from my able colleagues of the Visitation. But my residence in the vicinity threw, of course, on me the chief burthen of the enterprise, as well of the buildings as of the general organization and care of the whole. The effect of this institution on the future fame, fortune and prosperity of our country, can as yet be seen but at a distance. But an hundred well-educated youths, which it will turn out annually, and ere long, will fill all its offices with men of superior qualifications, and raise it from its humble state to an eminence among its associates which it has never yet known; no, not in its brightest days. That institution is now qualified to raise its youth to an order of science unequalled in any other State; and this superiority will be the greater from the free range of mind encouraged there, and the restraint imposed at other seminaries by the shackles of a domineering

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hierarchy, and a bigoted adhesion to ancient habits. Those now on the theatre of affairs will enjoy the ineffable happiness of seeing themselves succeeded by sons of a grade of science beyond their own ken. Our sister States will also be repairing to the same fountains of instruction, will bring hither their genius to be kindled at our fire, and will carry back the fraternal affections which, nourished by the same *alma mater*, will knit us to them by the indissoluble bonds of early personal friendships. The good Old Dominion, the blessed mother of us all, will then raise her head with pride among the nations, will present to them that splendor of genius which she has ever possessed, but has too long suffered to rest uncultivated and unknown, and will become a centre of ralliance to the States whose youth she has instructed, and, as it were, adopted.

I claim some share in the merits of this great work of regeneration. My whole labors, now for many years, have been devoted to it, and I stand pledged to follow it up through the remnant of life remaining to me. And what remuneration do I ask? Money from the treasury? Not a cent. I ask nothing from the earnings or labors of my fellow citizens. I wish no man's comforts to be abridged for the enlargement of mine. For the services rendered on all occasions, I have been always paid to my full satisfaction. I never wished a dollar more than what the law had fixed on. My request is, only to be permitted to sell my own property freely to pay my own debs. To *sell* it, I say, and not to *sacrifice* it, not to have it gobbled up by speculators to make fortunes for themselves, leaving unpaid those who have trusted to my good faith, and myself without resource in the last and most helpless stage of life. If permitted to sell it in a way which will bring me a fair price, all will be honestly and honorably paid, and a competence left for myself, and for those who look to me for subsistence. To sell it in a way which will offend no moral principle, and expose none to risk but the willing, and those wishing to be permitted to take the chance of gain. To give me, in short, that permission which you often allow to others for purposes not more moral.

Will it be objected, that although not evil in itself, it may as a precedent, lead to evil? But let those who shall quote the pre-

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cedent, bring their case within the same measure. Have they, as in this case, devoted three-score years and one of their lives, uninterruptedly, to the service of their country? Have the times of those services been as trying as those which have embraced our Revolution, our transition from a colonial to a free structure of government? Have the stations of their trial been of equal importance? Has the share they have borne in holding their new government to its genuine principles, been equally marked? And has the cause of the distress, against which they seek a remedy, proceeded, not merely from themselves, but from errors of the public authorities, disordering the circulating medium, over which they had no control, and which have, in fact, doubled and trebled debts, by reducing, in that proportion, the value of the property which was to pay them? If all these circumstances, which characterize the present case, have taken place in theirs also, then follow the precedent. Be assured, the cases will be so rare as to produce no embarrassment, as never to settle into an injurious habit. The single feature of a sixty years' service, as no other instance of it has yet occurred in our country, so it probably never may again. And should it occur, even once and again, it will not impoverish your treasury, as it takes nothing from that, and asks but a simple permission, by an act of natural right, to do one of moral justice.

TO JOSEPH C. CABELL. J. MSS.

MONTICELLO Feb. 7. 26.

DEAR SIR,—I recd yesterday your kind letter of the 2d and am truly sensible of the interest you are so good as to take in my affairs. I had hoped the length and character of my services might have prevented the fear in the legislature of the indulgence asked being quoted as a precedent in future cases, but I find no fault with their strict adherence to a rule generally useful, altho' relaxable in some cases under their discretion, of which they are the proper judges. If it can be yielded in my case, I can save the house of Monticello and a farm adjoining to end my days in and bury my bones. If not I must sell house and all here and

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carry my family to Bedford where I have not even a log hut to put my head into. In any case I wish nothing from the treasury. The pecuniary compensns I have recd for my services from time to time have been fully to my own satisfn.

I have been very much mortified by the publicn in the Enquirer of the 4th of two letters from some person called an American citizen who seems to have visited Mr. Madison & myself and has undertaken to state private conversns with us. In one of these he makes me declare that I had intentionally proceeded in a course of dupery of our legislature, teasing them as he makes me say for 6. or 7. sessions for successive aids to the Univty. and asking a part only at a time & intentionally concealing the ultimate cost; and gives an inexact statement of a story of Obrian. Now our annual reports will shew that we constantly gave full and candid accounts of the money expended, and statements of what might still be wanting founded on the Proctor's estimates. No man ever heard me speak of the grants of the legislre but with acknolegements of their liberality, which I have always declared had gone far beyond what I could have expected in the beginning. Yet the letter writer has given to my expressions an aspect disrespectful of the legislre and calculated to give them offence, which I do absolutely disavow. The writer is called an American citizen. It is evident, if he be so, that he is an adopted one only who after calling on us in his travels thro' the country as a stranger may have obtained naturalisation and settled in Phila. where he is enjoying the society of the Buonapartes &c. The familiar style of his letter to his friend in England and the communicn of it to the literary gazette there indicates sufficiently his foreign birth and connections. I cannot express to you the pain which this unfaithful version and betrayment of private conversn has given me. I feel that it will add to the disfavor I had incurred with a large portion of the legislature by my strenuous labours for the establmt of the University to which they were opposed insomuch as to let it overweigh whatever of satisfactn former services had given them. I have been long sensible that while I was endeavoring to render to our country the greatest of all services, that of regenerating the public education, and placing our rising genern on the level of our sister

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states (which they have proudly held heretofore) I was discharging the odious function of a Physician pouring medicine down the throat of a patient, insensible of needing it. I am so sure of the future approbn of posterity and of the inestimable effect we shall have produced in the educn of our country by what we have done as that I cannot repent of the part I have borne in coopern with my colleagues. I disclaim the honors which this writer (among the other errors he had interlarded with the truths of his letters) has ascribed to me of having made the liberal donations of timber & stone from my own estate and of having paid all the contracts for materials myself, and I restore them to their true source the liberal legislators of our country. My pain at these false praises and representations should merit with them an acquittal of any supposed approbn of them by myself. Ever & affectly yours.

TO THOMAS JEFFERSON RANDOLPH.[1] J. MSS.

MONTICELLO Feb. 8. 26

MY DEAR JEFFERSON,—I duly recd. your affectionate letter of the 3d and perceive there are greater doubts than I had apprehended whether the legislre will indulge me in my request to them. It is a part of my mortifn to perceive that I had so far overvalued myself as to have counted on it with too much confidence. I see in the failure of this hope a deadly blast of all peace of mind during my remaining days. You kindly encourage me to keep up my spirits. But oppressed with disease, debility, age, and embarrassed affairs, this is difficult. For myself I should not regard a prostration of fortune, but I am overwhelmed at the prospect of the situation in which I may leave my family. My dear & beloved daughter, the cherished companion of my early life and nurse of my age, and her children, rendered as dear to me as if my own from having lived with them from their cradle, left in a comfortless situation, hold up to me nothing but future gloom, and I should not care were life to end with the line I am writing, were it not that in the unhappy state of mind which your father's misfortunes have brought upon him I may yet be of

[1] From the original in the possession of Archibald Cary Coolidge.

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some avail to the family. Their affectionate devotion to me makes a willingness to endure life a duty as long as it can be of any use to them. Yourself particularly, dear Jefferson, I consider as the greatest of the Godsends which heaven has granted me. Without you what could I do under the difficulties now environing me. This has been produced in some degree by my unskilful management and devoting my life to the service of my country, but much also by the unfortunate fluctuations in the value of our money and the long continued depression of the farming business. But for these last I am confident my debts might be paid leaving me Monticello and the Bedford estate. But where there are no bidders property however great offers no resource for the payment of debts. In the payment of debts all must go for little or nothing. Perhaps however even in this case I may have no right to complain, as these misfortunes have been held back for my last days when few remain to me. I duly acknolege that I have gone thro' a long life with fewer circumstances of affliction than are the lot of most men. Uninterrupted health, a competence for every reasonable want, usefulness to my fellow citizens, a good portion of their esteem, no complaint against the world which has sufficiently honored me, and above all a family which has blessed me by their affectn and never by their conduct given me a moment's pain ; and should this my last request be granted I may yet close with a cloudless sun a long and serene day of life. Be assured my dear Jefferson that I have a just sense of the part you have contributed to this, and that I bear to you unmeasured affection.

TO JAMES MADISON. J. MSS.

MONTICELLO, February 17, 1826.

DEAR SIR,—* * * Immediately on seeing the overwhelming vote of the House of Representatives against giving us another dollar, I rode to the University and desired Mr. Brockenbrough to engage in nothing new, to stop everything on hand which could be done without, and to employ all his force and funds in finishing the circular room for the books, and the anatomical theatre. These cannot be done without ; and for these and all our debts we have funds enough. But I think it prudent then to clear the decks

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thoroughly, to see how we shall stand, and what we may accomplish further. In the meantime, there have arrived for us in different ports of the United States, ten boxes of books from Paris, seven from London, and from Germany I know not how many; in all, perhaps, about twenty-five boxes. Not one of these can be opened until the book-room is completely finished, and all the shelves ready to receive their charge directly from the boxes as they shall be opened. This cannot be till May. I hear nothing definite of the three thousand dollars duty of which we are asking the remission from Congress.[1] In the selection of our Law Professor, we must be rigorously attentive to his political principles. You will recollect that before the revolution, Coke Littleton was the universal elementary book of law students, and a sounder whig never wrote, nor of profounder learning in the orthodox doctrines of the British constitution, or in what were called English liberties. You remember also that our lawyers were then all whigs. But when his black-letter text, and uncouth but cunning learning got out of fashion, and the honied Mansfieldism of Blackstone became the student's hornbook, from that moment, that profession (the nursery of our Congress) began to slide into toryism, and nearly all the young brood of lawyers now are of that hue. They suppose themselves, indeed, to be whigs, because they no longer know what whigism or republicanism means. It is in our seminary that that vestal flame is to be kept alive; it is thence it is to spread anew over our own and the sister States. If we are true and vigilant in our trust, within a dozen or twenty years a majority of our own legislature will be from one school, and many disciples will have carried its doctrines home with them to their several States, and will have leavened thus the whole mass.[1] New York has taken strong ground in vindication of the constitution; South Carolina had already done the same. Although I was against our leading, I am equally against omitting to follow in the same line, and backing them firmly; and I hope that yourself or some other will mark out the track to be pursued by us.

You will have seen in the newspapers some proceedings in the legislature, which have cost me much mortification. My own debts had become considerable, but not beyond the effect of

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some lopping of property, which would have been little felt, when our friend Nicholas gave me the *coup de grace*. Ever since that I have been paying twelve hundred dollars a year interest on his debt, which, with my own, was absorbing so much of my annual income, as that the maintenance of my family was making deep and rapid inroads on my capital, and had already done it. Still, sales at a fair price would leave me competently provided. Had crops and prices for several years been such as to maintain a steady competition of substantial bidders at market, all would have been safe. But the long succession of years of stunted crops, of reduced prices, the general prostration of the farming business, under levies for the support of manufactures, &c., with the calamitous fluctuations of value in our paper medium, have kept agriculture in a state of abject depression, which has peopled the western States by silently breaking up those on the Atlantic, and glutted the land market, while it drew off its bidders. In such a state of things, property has lost its character of being a resource for debts. Highland in Bedford, which, in the days of our plethory, sold readily for from fifty to one hundred dollars the acre, (and such sales were many then,) would not now sell for more than from ten to twenty dollars, or one-quarter or one-fifth of its former price. Reflecting on these things, the practice occurred to me, of selling, on fair valuation, and by way of lottery, often resorted to before the Revolution to effect large sales, and still in constant usage in every State for individual as well as corporation purposes. If it is permitted in my case, my lands here alone, with the mills, &c., will pay every thing, and leave me Monticello and a farm free. If refused, I must sell everything here, perhaps considerably in Bedford, move thither with my family, where I have not even a log hut to put my head into, and whether ground for burial, will depend on the depredations which, under the form of sales, shall have been committed on my property. The question then with me was *ultrum horum?* But why afflict you with these details? Indeed, I cannot tell, unless pains are lessened by communication with a friend. The friendship which has subsisted between us, now half a century, and the harmony of our political principles and pursuits, have been sources of constant happiness to me through

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that long period. And if I remove beyond the reach of attentions to the University, or beyond the bourne of life itself, as I soon must, it is a comfort to leave that institution under your care, and an assurance that it will not be wanting. It has also been a great solace to me, to believe that you are engaged in vindicating to posterity the course we have pursued for preserving to them, in all their purity, the blessings of self-government, which we had assisted too in acquiring for them. If ever the earth has beheld a system of administration conducted with a single and steadfast eye to the general interest and happiness of those committed to it, one which, protected by truth, can never know reproach, it is that to which our lives have been devoted. To myself you have been a pillar of support through life. Take care of me when dead, and be assured that I shall leave with you my last affections.

TO NATHANIEL MACON. J. MSS.

MONTICELLO Feb. 21. 26.

How could you think, my dear friend, of appealing to me for materials for the history of N. Carolina? At the age of 83, scarcely able to walk from one room to another, rarely out of pain, and with both hands so crippled that to write a page is nearly the work of a day? I believe too that I never knew any thing about it, and if I did it is all forgotten. But I have observed that at whatever age, or in whatever form we have known a person of old so we believe him to continue indefinitely, unchanged by time or decay. I am glad however you did not reflect on this, because it has furnished occasion for a letter from you which I shall always receive with the welcome which antient & affectionate recollections ever bring. I am particularly happy to perceive that you retain health and spirits still manfully to maintain our good old principle of cherishing and fortifying the rights and authorities of the people in opposition to those who fear them, who wish to take all power from them, and to transfer all to Washington. The latter may call themselves republicans if they please, but the school of Venice, and all of this principle I call at once tories.

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For consolidation is but toryism in disguise it's object being to withdraw their [*illegible*] as far as possible from the ken of the people. God bless you & preserve you many and long years.

TO JAMES MONROE. J. MSS.

MONTICELLO Feb. 22. 26.

DEAR SIR,—Your favor of the 13th was received yesterday. Your use of my letter with the alterns subsequently proposed, needs no apology. And it will be a gratifn to me if it can be of any service to you. I learn with sincere affliction the difficulties with which you have still to struggle. Mine are considble, but the single permission given me by the legislature of such a mode of sale as ensures a fair value for what I must sell, will leave me still a competent provision. If sold under the hammer it must have been for whatever the bidder would gratuitously offer. For such a piece of property for example as my mills there could not have been two bona fide bidders in the state. A Virginia estate managed rigorously well yields a comfortable subsistence to it's owner living on it, but nothing more. But it runs him in debt annually if at a distance from him, if he is absent, if he is unskilful as I am, if short crops reduce him to deal on credit, and most assuredly if thunder struck from the hand of a friend as I was. Altho' all these causes conspired against me, and should have put me on my guard I had no suspicions until my grandson undertook the management of my estate and developed to me the state of my affairs, fortunately while yet retrievable in a comfortable degree. I hope you will still find yours so, and with sincere wishes that they may prove so to be. I salute you with constant frdshp, and respect.

TO GEORGE LOYALL. J. MSS.

MONTO. Feb. 22. 26.

DEAR SIR,—I have to acknolege the rect. of your favor of the 14th and still more especially to acknolwge the kindness with which you lent your aid to a late measure of extreme importance to me and to my family. The 1st vote indeed was very appalling, and made me fear I had made a very improper proposition which

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could be rejected offhand by so great a proportion of the house. The practice of selling property by lottery had been so frequent before the revoln as to hide from us, by it's familiarity what might be amiss in it if anything were so. The subsequent votes however relieved my apprehensions, and the zeal with which my friends espoused my case was a healing balm which would have soothed me under any issue in which it might have ended. Every owner of a Virginia estate, knows how prone they are to mismanagement and ruin, even when distant alone, how much more so when long & necessary absences of the master are added to distance, and still more when his line of life adds invincible ignorance to his intermissions of attention. These circumstances had thrown me into arrears when an overwhelming stroke fell on me from a friend. Still, had our land market remained in a healthy state every thing might have been paid and have left me competently provided. But the agricultural branch of industry with us had been so many years in a state of abject prostrn, that, combined with the calamitous fluctuations in the value of our circulating medium, those concerned in it instead of being in a condn to purchase were abandoning farms no longer yielding profit and moving off to the Western country. The only relief I wanted then was a market for property, where it might be sold at a fair price and effect the paymt of my debts, instead of being sacrificed to speculators lying in wait to get it for nothing, and leaving the debts still unpaid. As it is, I shall be left at my ease, and nothing unpaid but the obligns to my friends which I can never repay.

We have about 160. students entered, many dormitories engaged, their occupants not yet arrived, and new hands still coming in so as to leave no doubt of all being filled. Were indeed the Law chair occupied, it would add immediately more than we could receive. But the present lamented incumbent is hastening rapidly to his end. I hope when we meet we shall be prepared to name one who will accept and who will be acceptable to us in point of science in his particular profession, and more particularly in the political principles to be disseminated from his school. I hope too you will make your head quarters with us as heretofore under the asurance that no friend can be more welcome, none who possesses more sincerely my affectionate esteem and respect.

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TO THOMAS RITCHIE. J. MSS.

MONTICELLO Feb. 28 26

DEAR SIR,—I have duly received your favor covering one from a Lottery office offering it's services for the management of that lately permitted to me. I have for some years been obliged by age and ill health to resign the care of all my affairs to my grandson Th. J. R. who accdly acts for me with full powers in all cases. That of the lottery particularly has been entirely left to him so that I know nothing of it's plan or management. I therefore sent immediately to him your letter and that which it covered. I think however that I heard him say he had engaged a particular company before he left Richmd. If he has not I am sure your recommdn will be received with respect. I have had too many proofs dear Sir of your kind disposns to need any assurance that in all cases respecting myself whatever you do is done from the most frdly motives. That the opinions of my best friends were divided on my late proposition appeared in every quarter, and in none stronger than on the 1st question in the H. of R. My own alarm at that vote was great & painful. But I found, with all, that the more steadily they viewed the object the more they rallied to the alternative which finally prevailed. I knew that my property if a fair market could be obtained was far beyond the amt. of my debts. and sfft after paying them to leave me at ease. I knew at the same time that in the present abject prostration of agricultural industry in this country no market existed for that form of property ; a long succession of unfruitful years, long-continued low prices, oppressive tariffs levied on other branches to maintain that of manufactures, far the most flourishing of all, calamitous fluctuans in the value of our circulating medium, and, in my case a want of skill, in the management of our land & labor, these circumstances had been long undermining the state of agriculture, had been breaking up the landholders and glutting the land market here, while drawing off it's bidders to people the Western country. Under such circumstances agricultural property had become no resource for the payment of debts. To obtain a fair market was all I wanted, and this the only means of obtaining it. The idea was perhaps more familiar to me than to younger people because so commonly practised before the revoln.

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It had no connection with morality, altho' it had with expediency. Instead of being suppressed therefore with mere games of chance, lotteries had been placed under the discretion of the legislre as a means of sometimes effecting purposes desirable while left voluntary. Whether my case was within the range of that discretion, they were to judge, and in the integrity of that jdmt I have the most perfect confidce. And I hope I am not deceived in thinking that I discover after the 1st impression is rectified, some revulsion in the general opinion. You say you had made up from the public papers a little packet of expressions containing proofs of this. Such proofs would be acceptable and the more so after the rap of the knuckles received from the 1st vote. I pray you to be assured of my great frdshp and respect.[1]

[1] Jefferson further wrote to Ritchie:

"MONTICELLO Mar. 13. '26.

"DEAR SIR,—The interest you are so kind as to take in the measures proposed for relieving me from embarrassment brings on you the trouble of this letter. I have received an application from persons in N. Co. desirous of manifesting their goodwill to me by contributions in money, if acceptable, and offering to dispose of a portion of tickets if the way of lottery is preferred. This renders it necessary to take at once decided ground, lest by pursuing different plans they may defeat one another. It certainly is not for me to prescribe what shape my fellow citizens shall manifest their kindness to me. The bounties from one's country, expressions of it's approbation, are honors which it would be arrogance to refuse, especially where flowing from the *willing* only. The same approbation however expressed by promoting the success of the lottery, would have the advantage of relieving the repugnance we justly feel against becoming a burthen to our friends and may justly excuse a preference of this mode. In answering my well wishers of N. Carolina I have endeavored to explain respectfully the motives of this preference. I send you a copy of this answer, as possessing the grounds of our proceedings. You may be able perhaps, by occasional editorial hints, to give uniformity of direction to the various propositions of which you probably will be made the center. Those to whom this letter is addressed may perhaps publish it which should not I think, be formally otherwise done.

The necessity which dictated this expedient cost me in it's early stage unspeakable mortification. The turn it has taken, so much beyond what I could have expected, has countervailed all I suffered, and become a source of felicity which I should otherwise never have known. Affectionately & gratefully yours."

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TO JAMES MONROE. J. MSS.

MONTICELLO Mar. 8. 26.

DEAR SIR,—I have duly received your two favors of Feb. 23. and 27. and am truly sensible of the interest you so kindly take in my affairs and of the encouraging aspects of Mr. Gouvernour's letter. All that is necessary for my relief is a successful sale of our tickets, of which the public papers give good hope. If this is effected at a reasonable value for what I shall sell, what will remain will leave me at a good degree of ease. To keep a Virginia estate together requires in the owner both skill and attention; skill I never had and attention I could not have, and really when I reflect on all circumstances my wonder is that I should have been so long as 60 years in reaching the result to which I am now reduced. Still if this resource succeeds I am safe. With the scheme and management of the lottery I meddle not at all. Age and ill health render me entirely unequal to it. I have committed it therefore to my grandson altogether, and put into his hands all letters coming to me on the subject, that he may avail himself of the kindnesses offered, as far as his arrangements will admit. I hope your affairs will wind up to your wishes, and pray you to be assured of the pleasure it will give me to learn your happy issue out of all your difficulties, and of my great and sincere affection and respect.

TO JOHN QUINCY ADAMS. J. MSS.

MONTICELLO, March 30, 1826.

DEAR SIR,—I am thankful for the very interesting message and documents of which you have been so kind as to send me a copy, and will state my recollections as to the particular passage of the message to which you ask my attention. On the conclusion of peace, Congress, sensible of their right to assume independence, would not condescend to ask its acknowledgment from other nations, yet were willing, by some of the ordinary international transactions, to receive what would imply that acknowledgment. They appointed commissioners, therefore, to propose treaties of commerce to the principal nations of Europe. I was then a member of Congress, was of the committee ap-

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pointed to prepare instructions for the commissioners, was, as you suppose, the draughtsman of those actually agreed to, and was joined with your father and Dr. Franklin, to carry them into execution. But the stipulations making part of these injunctions, which respected privateering, blockades, contraband, and freedom of the fisheries, were not original conceptions of mine. They had before been suggested by Dr. Franklin, in some of his papers in possession of the public, and had, I think, been recommended in some letter of his to Congress. I happen only to have been the inserter of them in the first public act which gave the formal sanction of a public authority. We accordingly proposed our treaties, containing these stipulations, to the principal governments of Europe. But we were then just emerged from a subordinate condition; the nations had as yet known nothing of us, and had not yet reflected on the relations which it might be their interest to establish with us. Most of them, therefore, listened to our propositions with coyness and reserve; old Frederic alone closing with us without hesitation. The negotiator of Portugal, indeed, signed a treaty with us, which his government did not ratify, and Tuscany was near a final agreement. Becoming sensible, however, ourselves, that we should do nothing with the greater powers, we thought it better not to hamper our country with engagements to those of less significance, and suffered our powers to expire without closing any other negotiations. Austria soon after became desirous of a treaty with us, and her ambassador pressed it often on me; but our commerce with her being no object, I evaded her repeated invitations. Had these governments been then apprized of the station we should so soon occupy among nations, all, I believe, would have met us promptly and with frankness. These principles would then have been established with all, and from being the conventional law with us alone, would have slid into their engagements with one another, and become general. These are the facts within my recollection. They have not yet got into written history; but their adoption by our southern brethren will bring them into observance, and make them, what they should be, a part of the law of the world, and of the reformation of principles for which they will be indebted to us. I pray you to accept the homage of my friendly and high consideration.

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TO EDWARD EVERETT. J. MSS.

MONTICELLO, April 8, 1826.

DEAR SIR,—I thank you for the very able and eloquent speech you have been so kind as to send me on the amendment of the constitution, proposed by Mr. McDuffie. I have read it with pleasure and satisfaction, and concur with much of its contents. On the question of the lawfulness of slavery, that is of the right of one man to appropriate to himself the faculties of another without his consent, I certainly retain my early opinions. On that, however, of third persons to interfere between the parties, and the effect of conventional modifications of that pretension, we are probably nearer together. I think with you, also, that the constitution of the United States is a compact of independent nations subject to the rules acknowledged in similar cases, as well that of amendment provided within itself, as, in case of abuse, the justly dreaded but unavoidable *ultimo ratio gentium.* The report on the Panama question mentioned in your letter has as I suppose, got separated by the way. It will probably come by another mail. In some of the letters you have been kind enough to write me, I have been made to hope the favor of a visit from Washington. It would be received with sincere welcome, and unwillingly relinquished if no circumstance should render it inconvenient to yourself. I repeat always with pleasure the assurances of my great esteem and respect.

TO HENRY LEE. J. MSS.

MONTICELLO May 30. 26.

DEAR SIR,—Your favor of the 25th came to hand yesterday, and I shall be happy to receive you at the time you mention or any other, if any other shall be more convenient to you.

Not being now possessed of a copy of Genl. Lee's memoirs as I before observed to you, I may have misremembered the passage respecting Simpcoe's expedition, and very willingly stand corrected. The only fact relative to it which I can state from personal knolege is that being at Monticello on the 9th. 10th. & 11th of June 81, on one of these days I cannot now ascertain

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which, I distinctly saw the smoke of houses, successively arising in the horizon a little beyond James river, and which I learnt from indubitable testimony were kindled by his corps, and that being within 3. or 4 miles of N. London from that time to the 25th of July, he did not within that space of time reach N. London. But all this may be better explained viva voce; and in the mean time I repeat assurances of my great esteem & respect.[1]

[1] Jefferson further wrote to Lee:

MONTICELLO, May 15, 1826.

DEAR SIR,—The sentiments of justice which have dictated your letters of the 3d and 9th inst., are worthy of all praise, and merit and meet my thankful acknowledgments. Were your father now living and proposing, as you are, to publish a second edition of his memoirs, I am satisfied he would give a very different aspect to the pages of that work which respect Arnold's invasion and surprise of Richmond, in the winter of 1780–81. He was then, I believe, in South Carolina, too distant from the scene of those transactions to relate them on his own knowledge, or even to sift them from the chaff of the rumors then afloat, rumors which vanished soon before the real truth, as vapors before the sun, obliterated by their notoriety, from every candid mind, and by the voice of the many who, as actors or spectators knew what had truly past. The facts shall speak for themselves.

General Washington had just given notice to all the Governors on the seaboard, north and south, that an embarcation was taking place at New York, destined for the *southward, as was given out there;* and on Sunday the 31st of December, 1780, we received information that a fleet had entered our capes. It happened fortunately that our legislature was at that moment in session, and within two days of their rising, so that, during these two days, we had the benefit of their presence, and of the counsel and information of the members individually. On Monday the 1st of January, we were in suspense as to the destination of this fleet, whether up the bay, or up our river. On Tuesday at 10 o'clock, however, we received information that they had entered James river; and, on general advice, we instantly prepared orders for calling in the militia, one-half from the nearer counties, and a fourth from the more remote, which would constitute a force of between four and five thousand men, of which orders the members of the legislature, which adjourned that day, took charge, each to his respective county; and we began the removal of everything from Richmond. The wind being fair and strong, the enemy ascended the river as rapidly almost as the expresses could ride, who were dispatched to us from time to time, to notify their progress. At 5 P. M. on Thursday, we learnt that they had then been three hours landed at Westover. The whole militia of the adjacent counties were now called for, and to come on individually, without waiting any regular array. At 1 P. M. the next day, (Friday,) they entered Richmond, and on Saturday, after twenty-four hours possession, burning some

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TO MRS. JOSEPH COOLIDGE.[1]

MONTICELLO June 5. '26.

A word to you, my dearest Ellen, under the cover of Mr. Coolidge's letter. I address you the less frequently, because I find it easier to write 10 letters of business, than one on the in-

houses, destroying property, &c., they retreated, encamped that evening ten miles below, and reached their shipping at Westover the next day, (Sunday.)

By this time had assembled three hundred militia under Colonel Nicholas, six miles above Westover, and two hundred under General Nelson, at Charles city Court House, eight miles below. Two or three hundred at Petersburg had put themselves under General Smallwood, of Maryland, accidentally there on his passage through the State; and Baron Steuben with eight hundred, and Colonel Gibson with one thousand, were also on the south side of James river, aiming to reach Hood's before the enemy should have passed it, where they hoped they could arrest them. But the wind, having shifted, carried them down as prosperously as it had brought them up the river. Within the first five days therefore, about twenty-five hundred men had collected at three or four different points, ready for junction. I was absent myself from Richmond (but always within observing distance of the enemy) three days only, during which I was never off my horse but to take food or rest, and was everywhere where my presence could be of any service; and I may with confidence challenge any one to put his finger on the point of time when I was in a state of remissness from any duty of my station. But I was not with the army! true; for first, where was it? second, I was engaged in the more important function of taking measures to collect an army; and, without military education myself, instead of jeopardizing the public safety by pretending to take its command, of which I knew nothing, I had committed it to persons of the art, men who knew how to make the best use of it, to Steuben for instance, to Nelson and others, possessing that military skill and experience, of which I had none.

Let our condition, too, at that time be duly considered. Without arms, without money of effect, without a regular soldier in the State, or a regular officer, except Steuben, a militia scattered over the country, and called at a moment's warning to leave their families and firesides, in the dead of winter, to meet an enemy ready marshalled, and prepared at all points to receive them. Yet had time been given them by the hasty retreat of that enemy, I have no doubt but the rush to arms, and to the protection of their country, would have been as rapid and universal as in the invasion during our late war, when, at the first moment of notice, our citizens rose in mass, from every part of the State, and without waiting to be marshalled by their officers, armed themselves, and marched off by ones and by twos, as quickly as they could equip themselves. Of the individuals of the same house one would start in the morning, a second

[1] From a copy courteously furnished by Archibald Cary Coolidge.

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tangible affections of the mind. Were these to be indulged as calls for writing letters to express them, my love to you would engross the unremitting exercises of my pen. I hear of you regularly however thro' your correspondents of the family, and also of Cornelia since she has joined you. She will find, on her return

at noon, a third in the evening, no one waiting an hour for the company of another. This I saw myself on the late occasion, and should have seen on the former had wind, and tide, and a Howe, instead of an Arnold, slackened their pace ever so little.

And is the surprise of an open and unarmed place, although called a city, and even a capital, so unprecedented as to be a matter of indelible reproach? Which of our own capitals during the same war, was not in possession of the same enemy, not merely by surprise and for a day only, but permanently? That of Georgia? of South Carolina? North Carolina? Pennsylvania? New York? Connecticut? Rhode Island? Massachusetts? And if others were not, it was because the enemy saw no object in taking possession of them. Add to the list in the late war, Washington, the metropolis of the Union, covered by a fort, with troops and a dense population. And what capital on the continent of Europe, (St. Petersburg and its regions of ice excepted,) did not Bonaparte take and hold at his pleasure? Is it then just that Richmond and its authorities alone should be placed under the reproach of history, because, in a moment of peculiar denudation of resources, by the *coup de main* of an enemy, led on by the hand of fortune directing the winds and weather to their wishes, it was surprised and held for twenty-four hours? Or strange that that enemy with such advantages, should be enabled then to get off, without risking the honors he had achieved by burnings and destructions of property peculiar to his principles of warfare? We, at least, may leave these glories to their own trumpet.

During this crisis of trial I was left alone, unassisted by the co-operation of a single public functionary. For, with the legislature, every member of the council had departed to take care of his own family. Unaided even in my bodily labors, but by my horse, and he, exhausted at length by fatigue, sunk under me in the public road, where I had to leave him, and with my saddle and bridle on my shoulders, to walk afoot to the nearest farm, where I borrowed an unbroken colt, and proceeded to Manchester, opposite to Richmond, which the enemy had evacuated a few hours before.

Without further pursuing these minute details, I will here ask the favor of you to turn to Girardin's History of Virginia, where such of them as are worthy the notice of history, are related in that scale of extension which its objects admit. That work was written at Milton, within two or three miles of Monticello; and at the request of the author, I communicated to him every paper I possessed on the subject, of which he made the use he thought proper for his work. [See his pages 453, 460, and the appendix xi.—xv.] I can assure you of the truth of every fact he has drawn from these papers, and of the genuine-

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some changes in our neighborhood. The removal of the family of Ashton to New London will be felt by us all; and will scarcely be compensated by an increased intercourse with the house beyond them. Yesterday closed a visit of 6 weeks from the younger members of the latter, during which their attractions

ness of such as he has taken the trouble of copying. It happened that during those eight days of incessant labor, for the benefit of my own memory, I carefully noted every circumstance worth it. These memorandums were often written on horseback, and on scraps of paper taken out of my pocket at the moment, fortunately preserved to this day, and now lying before me. I wish you could see them. But my papers of that period are stitched together in large masses, and so tattered and tender as not to admit removal further than from their shelves to a reading table. They bear an internal evidence of fidelity which must carry conviction to every one who sees them. We have nothing in our neighborhood which could compensate the trouble of a visit to it, unless perhaps our University, which I believe you have not seen, and I can assure you is worth seeing. Should you think so, I would ask as much of your time at Monticello as would enable you to examine these papers at your ease. Many others too are interspersed among them, which have relation to your object, many letters from Generals Gates, Greene, Stephens and others engaged in the Southern war, and in the North also. All should be laid open to you without reserve, for there is not a truth existing which I fear, or would wish unknown to the whole world. During the invasions of Arnold, Phillips and Cornwallis, until my time of office had expired, I made it a point, once a week, by letters to the President of Congress, and to General Washington, to give them an exact narrative of the transactions of the week. These letters should still be in the office of state in Washington, and in the presses at Mount Vernon. Or, if the former were destroyed by the conflagrations of the British, the latter are surely safe, and may be appealed to in corroboration of what I have now written.

There is another transaction, very erroneously stated in the same work, which although not concerning myself, is within my own knowledge, and I think it a duty to communicate it to you. I am sorry that not being in possession of a copy of the memoirs, I am not able to quote the page, and still less the facts themselves, verbatim from the text. But of the substance, as recollected, I am certain. It is said there that, about the time of Tarleton's expedition up the north branch of James river to Charlottesville and Monticello, Simcoe was detached up the southern branch, and penetrated as far as New London, in Bedford, where he destroyed a depôt of arms, &c., &c. I was with my family, at the time, at a possession I have within three miles of New London, and I can assure you of my own knowledge that he did not advance to within fifty miles of New London. Having reached the lower end of Buckingham, as I have understood, he heard of a deposit of arms, and a party of new recruits un-

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had kept us full of the homagers to their beauty. According to appearances they had many nibbles and bites, but whether the hooks took firm hold of any particular subject or not, is a secret not communicated to me. If not, we shall know it by a return to their angling grounds, for here they fix them until they catch something to their palate. The annual visit of the family en masse begins you know, the next month. Our near relationship of blood interests me of course in their success, for by ascending to my great grandfather and to their great, great, great grandfather, we come to a common ancestor. Shall I say anything to you of my health. It is as good as I ever expect it to be. At present tolerable, but subject to occasional relapses of sufferance. I am just now out of one of these. The pleasure of seeing yourself, Mr. Coolidge and Cornelia I begin to enjoy in anticipation; and am sure I shall feel it's sanative effects when the moment arrives. I commit my affections to Mr. Coolidge to my letter to him. Communicate those to Cornelia by a thousand kisses from me, and take to yourself those I impress on this paper for you.

TO ROGER C. WEIGHTMAN. J. MSS.

MONTICELLO, June 24, 1826.

RESPECTED SIR,—The kind invitation I receive from you, on the part of the citizens of the city of Washington, to be present with them at their cele-

der Baron Steuben, somewhere in Prince Edward; he left the Buckingham road immediately, at or near Francisco's, pushed directly south at this new object, was disappointed, and returned to and down James river to head quarters. I had then returned to Monticello myself, and from thence saw the smokes of his conflagration of houses and property on that river, as they successively arose in the horizon at a distance of twenty-five or thirty miles. I must repeat that his excursion from Francisco's is not from my own knowledge, but as I have heard it from the inhabitants on the Buckingham road, which for many years I travelled six or eight times a year. The particulars of that, therefore, may need inquiry and correction.

These are all the recollections within the scope of your request, which I can state with precision and certainty; and of these you are free to make what use you think proper in the new edition of your father's work; and with which I pray you to accept the assurances of my great esteem and respect.

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bration on the fiftieth anniversary of American Independence, as one of the surviving signers of an instrument pregnant with our own, and the fate of the world, is most flattering to myself, and heightened by the honorable accompaniment proposed for the comfort of such a journey. It adds sensibly to the sufferings of sickness, to be deprived by it of a personal participation in the rejoicings of that day. But acquiescence is a duty, under circumstances not placed among those we are permitted to control. I should, indeed, with peculiar delight, have met and exchanged there congratulations personally with the small band, the remnant of that host of worthies, who joined with us on that day, in the bold and doubtful election we were to make for our country, between submission or the sword; and to have enjoyed with them the consolatory fact, that our fellow citizens, after half a century of experience and prosperity, continue to approve the choice we made. May it be to the world, what I believe it will be, (to some parts sooner, to others later, but finally to all,) the signal of arousing men to burst the chains under which monkish ignorance and superstition had persuaded them to bind themselves, and to assume the blessings and security of self-government. That form which we have substituted, restores the free right to the unbounded exercise of reason and freedom of opinion. All eyes are opened, or opening, to the rights of man. The general spread of the light of science has already laid open to every view the palpable truth, that the mass of mankind has not been born with

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saddles on their backs, nor a favored few booted and spurred, ready to ride them legitimately, by the grace of God. These are grounds of hope for others. For ourselves, let the annual return of this day forever refresh our recollections of these rights, and an undiminished devotion to them.

I will ask permission here to express the pleasure with which I should have met my ancient neighbors of the city of Washington and its vicinities, with whom I passed so many years of a pleasing social intercourse; an intercourse which so much relieved the anxieties of the public cares, and left impressions so deeply engraved in my affections, as never to be forgotten. With my regret that ill health forbids me the gratification of an acceptance, be pleased to receive for yourself, and those for whom you write, the assurance of my highest respect and friendly attachments.

JEFFERSON'S WILL.

[Mar. 1826.]

I, Thomas Jefferson, of Monticello, in Albemarle, being of sound mind and in my ordinary state of health, make my last will and testament in manner and form as follows:

I give to my grandson Francis Eppes, son of my dear deceased daughter Mary Eppes, in fee simple, all that part of my lands at Poplar Forest lying west of the following lines, to wit: beginning at Radford's upper corner, near the double branches of Bear Creek and the public road, and running thence in a straight line to the fork of my private road, near the barn; thence along that private road, (as it was changed in 1817,) to its crossing of the main branch of North Tomahawk Creek; and from that crossing, in a direct line over the main ridge which

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divides the North and South Tomahawk, to the South Tomahawk, at the confluence of two branches where the old road to the Waterlick crossed it, and from that confluence up the northermost branch, (which separate M'Daniels' and Perry's fields,) to its source; and thence by the shortest line to my western boundary. And having, in a former correspondence with my deceased son-in-law John W. Eppes, contemplated laying off for him, with remainder to my grandson Francis, a certain portion in the southern part of my lands in Bedford and Campbell, which I afterwards found to be generally more indifferent than I had supposed, and therefore determined to change its location for the better; now to remove all doubt, if any could arise on a purpose merely voluntary and unexecuted, I hereby declare that what I have herein given to my said grandson Francis, is instead of, and not additional to, what I had formerly contemplated. I subject all my other property to the payment of my debts in the first place. Considering the insolvent state of the affairs of my friend and son-in-law Thomas Mann Randolph, and that what will remain of my property will be the only resource against the want in which his family would otherwise be left, it must be his wish, as it is my duty, to guard that resource against all liability for his debts, engagements or purposes whatsoever, and to preclude the rights, powers, and authorities over it, which might result to him by operation of law, and which might, independently of his will, bring it within the power of his creditors, I do hereby devise and bequeath all the residue of my property, real and personal, in possession or in action, whether held in my own right, or in that of my dear deceased wife, according to the powers vested in me by deed of settlement for that purpose, to my grandson Thomas J. Randolph, and my friends Nicholas P. Trist and Alexander Garrett, and their heirs, during the life of my said son-in-law Thomas M. Randolph, to be held and administered by them, in trust, for the sole and separate use and behoof of my dear daughter Martha Randolph, and her heirs; and aware of the nice and difficult distinction of the law in these cases, I will further explain by saying, that I understand and intend the effect of these limitations to be, that the legal estate and actual occupation shall be vested in my said

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trustees, and held by them in base fee, determinable on the death of my said son-in-law, and the remainder during the same time be vested in my said daughter and her heirs, and of course disposable by her last will, and that at the death of my said son-in-law, the particular estate of the trustees shall be determined, and the remainder, in legal estate, possession, and use, become vested in my said daughter and her heirs, in absolute property forever. In consequence of the variety and indescribableness of the articles of property within the house at Monticello, and the difficulty of inventorying and appraising them separately and specifically, and its inutility, I dispense with having them inventoried and appraised; and it is my will that my executors be not held to give any security for the administration of my estate. I appoint my grandson Thomas Jefferson Randolph, my sole executor during his life, and after his death, I constitute executors my friends Nicholas P. Trist and Alexander Garrett, joining to them my daughter Martha Randolph, after the death of my said son-in-law Thomas M. Randolph. Lastly, I revoke all former wills by me heretofore made; and in witness that this is my will, I have written the whole with my own hand on two pages, and have subscribed my name to each of them this sixteenth day of March, one thousand eight hundred and twenty-six.

I, Thomas Jefferson, of Monticello, in Albemarle, make and add the following codicil to my will, controlling the same so far as its provisions go:

I recommend to my daughter Martha Randolph, the maintenance and care of my well beloved sister Anne Scott, and trust confidently that from affection to her, as well as for my sake, she will never let her want a comfort. I have made no specific provision for the comfortable maintenance of my son-in-law Thomas M. Randolph, because of the difficulty and uncertainty of devising terms which shall vest any beneficial interest in him, which the law will not transfer to the benefit of his creditors, to the destitution of my daughter and her family, and disablement of her to supply him: whereas, property placed under the exclusive control of my daughter and her independent will, as

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if she were a feme sole, considering the relation in which she stands both to him and his children, will be a certain resource against want for all.

I give to my friend James Madison, of Montpellier, my gold-mounted walking staff of animal horn, as a token of the cordial and affectionate friendship which for nearly now an half century, has united us in the same principles and pursuits of what we have deemed for the greatest good of our country.

I give to the University of Virginia my library, except such particular books only, and of the same edition, as it may already possess, when this legacy shall take effect: the rest of my said library, remaining after those given to the University shall have been taken out, I give to my two grandsons-in-law Nicholas P. Trist and Joseph Coolidge. To my grandson Thomas Jefferson Randolph, I give my silver watch in preference of the golden one, because of its superior excellence. My papers of business going of course to him, as my executor, all others of a literary or other character I give to him as of his own property.

I give a gold watch to each of my grandchildren, who shall not have already received one from me, to be purchased and delivered by my executors to my grandsons, at the age of twenty-one, and granddaughters at that of sixteen.

I give to my good, affectionate, and faithful servant Burwell, his freedom, and the sum of three hundred dollars, to buy necessaries to commence his trade of glazier, or to use otherwise, as he pleases.

I give also to my good servants John Hemings and Joe Fosset, their freedom at the end of one year after my death; and to each of them respectively, all the tools of their respective shops or callings; and it is my will that a comfortable log-house be built for each of the three servants so emancipated, on some part of my lands convenient to them with respect to the residence of their wives, and to Charlottesville and the University, where they will be mostly employed, and reasonably convenient also to the interests of the proprietor of the lands, of which houses I give the use of one, with a curtilage of an acre to each, during his life or personal occupation thereof.

I give also to John Hemings the service of his two apprentices

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Madison and Eston Hemings, until their respective ages of twenty-one years, at which period respectively, I give them their freedom; and I humbly and earnestly request of the legislature of Virginia a confirmation of the bequest of freedom to these servants, with permission to remain in this State, where their families and connections are, as an additional instance of the favor, of which I have received so many other manifestations in the course of my life, and for which I now give them my last, solemn, and dutiful thanks.

In testimony that this is a codicil to my will of yesterday's date, and that it is to modify so far the provisions of that will, I have written it all with my own hand in two pages, to each of which I subscribe my name, this seventeenth day of March, one thousand eight hundred and twenty-six.

JEFFERSON'S INSCRIPTION FOR HIS TOMBSTONE

HERE WAS BURIED

THOMAS JEFFERSON

AUTHOR

OF THE DECLARATION OF

AMERICAN INDEPENDENCE

OF

THE STATUTE OF VIRGINIA

FOR RELIGIOUS FREEDOM, AND

FATHER OF THE UNIVERSITY

OF VIRGINIA

BORN APRIL 2D

1743 O. S.

DIED [JULY 4]

[1826]

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